

# SCHOOLMEN'S DAY



## ABILITY GROUPING

**DECEMBER 12, 1968**

**HOLIDAY INN CENTRAL**

1313 Nicollet Avenue  
Minneapolis, Minnesota

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# ABILITY GROUPING

"Even in concept the track system is undemocratic and discriminatory. . . . It is designed to prepare some children for white-collar and other children for blue-color jobs. Considering the tests used to determine which children should receive the blue-collar special, and which the white, the danger of children completing their education wearing the wrong collar is far too great for this democracy to tolerate."

Judge J. Skelly Wright in *Hobson v Hansen*

"The ability grouping concept has deep roots in American educational history. Some form of ability grouping as a means of providing specialized instruction to the exceptionally slow and the exceptionally gifted students has been used in the public schools of this country since, at least, the latter part of the nineteenth century. Indeed, ability grouping in some form is a virtual necessity in an educational system which is required by law to teach all the children who, of course, vary in innate abilities."

AASA in a brief supporting the appeal of the  
Superintendent of Schools and the Board of  
Education

"The general conclusion which may be drawn from the findings of this study and from other experimental grouping studies is that, in predominantly middle-class elementary schools, narrowing the ability range in the classroom on the basis of some measure of general academic aptitude, will, by itself, in the absence of carefully planned adaptations of content and method, produce little positive change in the academic achievement of pupils at any ability level. . . . Ability grouping is inherently neither good nor bad."

Miriam Goldberg and A. Harry Passow.  
*The Effects of Ability Grouping*

# PROGRAM

- 9:00 Registration and Coffee
- 9:30 MORNING SESSION Arcade Ballroom, Lower Level  
Presiding: JACK C. MERWIN  
Assistant Dean, College of Education  
University of Minnesota
- “Ability Grouping: What Have We Learned?”  
A. HARRY PASSOW  
Professor of Education  
Teachers College  
Columbia University
- 10:30 Panel  
ROBERT BURNETT  
Principal, Concord Elementary School  
Edina Public Schools  
W. RAY CROSS  
Assistant Professor  
University of Minnesota  
G. MAX SPRIGGS  
Coordinator of  
Special Education,  
Roseville Public Schools
- 11:30 Adjourn Morning Session
- 12:00 LUNCHEON Hall of Flags, Lobby Level  
Presiding: CLIFFORD P. HOOKER, Chairman  
Department of Educational Administration  
University of Minnesota
- “The Track System — A Failure in Public Schools”  
JULIUS W. HOBSON  
Plaintiff — **Hobson v Hansen**
- 2:00 AFTERNOON SESSION Arcade Ballroom, Lower Level  
Presiding: DUANE J. MATTHEIS  
Commissioner of Education
- “The Wright Decision — A Court’s Definition of Equality in Education”  
CARL F. HANSEN  
Defendant — **Hobson v Hansen**
- 3:00 Panel  
ROLAND R. DELAPP  
Principal, North High School  
Minneapolis  
F. P. SCHOETTLE  
Associate Professor of Law  
University of Minnesota  
THOMAS F. STARK  
Superintendent of Schools  
Grand Rapids, Minnesota
- 4:00 Adjournment



Please make reservations for luncheon by writing to

Schoolmen's Day  
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Minneapolis, Minnesota 55455

Tickets = \$4.50

Please make checks payable to the University of Minnesota. Include name, address, and school in reservations. All tickets will be picked up at Holiday Inn Central on December 12, 1968.

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# THE AD HOC COMMITTEE FOR EDUCATION

*invites you to a public meeting*

**I. S. 201  
2005 Madison Avenue  
(corner 127th Street)  
Saturday May 4th, 1968  
2:00 — 6:00 P.M.**

**Topic: TRACKING  
ANOTHER EDUCATIONAL BETRAYAL**

**Principal Speaker:** Mr. Julius Hobson, Plaintiff  
\*Hobson vs. Hansen - Skelly Wright  
Decision, Washington, D. C.

**Panel:** Mr. William Kunstler,  
Counsel for Mr. Hobson

Mr. Isaiah Robinson, Pres.,  
Harlem Parents Committee  
Chairman of the Board,  
Harlem Commonwealth Council

Mrs. Ellen Lurie, Training Director,  
United Bronx Parents

Mr. George Scurlock,  
Students Afro-American Society,  
Columbia University

Mr. Clyde Ford,  
Afro-American Students Association,  
Stuyvesant High School

**Moderator:** Mr. David Spencer, Chairman,  
Governing Board. I.S. 201 Complex

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**FREE**

**REFRESHMENTS**





# TRACKING or ABILITY GROUPING

*Does it mean*

*General Diplomas, Dropouts, No College, No Training, No Jobs?*

IS YOUR CHILD SYSTEMATICALLY PROGRAMMED FOR A SUB-STANDARD EDUCATION?

IS YOUR CHILD EXCLUDED FROM EQUAL EDUCATIONAL OPPORTUNITIES BECAUSE OF INAPPROPRIATE PLACEMENT TESTS?

DOES YOUR CHILD RECEIVE AN INFERIOR CURRICULUM?

\*THE SKELLY WRIGHT DECISION RULED THE "TRACK SYSTEM" ILLEGAL AND DISCRIMINATORY IN WASHINGTON, D.C.

## THIS SYSTEM CAN BE ABOLISHED IN NEW YORK CITY

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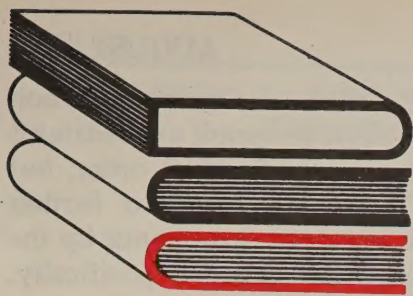
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DISTRICT OF  
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## THE WRIGHT DECISION

### The Background

On June 19, 1967, Judge J. Skelly Wright ruled in the *Hobson v. Hansen* case.

More than four years later, after appeals amended motions, later decisions, and resignations, there is still controversy and confusion over the Wright decision.

This summary of events following the decision, and the accompanying analysis of the latest (May 25, 1971) decision have been prepared by D.C. Citizens to help citizens understand one of the factors affecting public education in the District.

Julius Hobson filed his suit on January 13, 1966. He charged the Superintendent of Schools (then Carl F. Hansen) and the Board of Education with discrimination against poor and black children.

Ruling in *Hobson's* favor, Judge Wright said that "de facto segregation inflicted emotional hurt, crippling to academic motivation," and ordered an end to racial and economic discrimination in the District's public schools.

Three times since 1967, parents and Hobson himself have filed amended motions to the suit, seeking implementation and further relief. Each time, Judge Wright has ruled in their favor. The latest decision ordered the equalization of teacher expenditures, per pupil, school by school, to within 5% above or below the city-wide average. Two other decisions in December, 1970 reaffirmed his orders to integrate schools racially and economically.

In the 1967 ruling, Judge Wright cited the track system of pupil grouping and optional school zones as examples of discrimination, and abolished these policies. He also ordered the school board to provide transportation for poor black children who volunteered to attend under-capacity, predominantly white schools, and to provide substantial faculty integration by the opening of school in September.

(See Background - Page 8)

### What It Means

On May 25th of this year, Judge J. Skelly Wright, sitting as a judge of the United States District Court for the District of Columbia, issued another decree in the important case of *Hobson v. Hansen*. The court's latest order will have a direct and immediate effect on the operation of the D.C. schools this fall, and in the future.

D.C. Citizens has prepared an analysis of Judge Wright's opinion to help citizens understand what it actually requires, and to provide a basis for evaluating the school system's decisions on how to meet those requirements. Our analysis covers the history of the case to the present and the remedy ordered by the court, and suggests ways available to the school system to comply with that remedy. All quotations in this analysis are directly from Judge Wright's decision as released in the typescript. (*United States District Court for the District of Columbia, JULIUS W. HOBSON, individually and on behalf of JEAN MARIE HOBSON and JULIUS W. HOBSON, JR., et al., Plaintiff v. CARL F. HANSEN, Superintendent of Schools of the District of Columbia, THE BOARD OF EDUCATION OF THE DISTRICT OF COLUMBIA, et al., Defendants Civil Action No. 82-66, May 25, 1971.*)

For those so inclined, we strongly suggest that the opinion itself makes fascinating reading. The document is not too long (31 legal size pages); the language is clear, forceful, and not overly legal.

### History of the Case

In 1966, Julius W. Hobson brought suit on behalf of his own and other black children in the D.C. schools against the then Superintendent of Schools of the District of Columbia, Carl F. Hansen, the members of the D.C. Board of Education, the judges of the U.S. District Court for the District of Columbia, who had appointed the members of the Board of Education, and the members of the District Board of Elections.

Judge J. Skelly Wright, of the United States Court of Appeals, the District of Columbia Judicial Circuit, (Continued, Pages 2-7)

This special edition of the Bulletin Board was prepared by DCCBPE staff members Mary Broad, Mary Hunter and Louise Malone.



heard the case sitting as a member of the U.S. District Court for the District because the District Court judges were themselves defendants.

Of those principals directly involved in the original case, only Hobson and Judge Wright remain on the scene. School superintendents have come and gone; none of the current Board members, now elected by the citizenry, were members of the appointed Board in 1966 when the suit was filed. It is noteworthy, however that Anita F. Allen and Albert A. Rosenfield — both on the present elected Board — were sworn in as members of the appointed Board just two weeks after the initial Wright decree was issued in 1967. (The involvement of the District Court judges and the Board of Elections was unnecessary after the Board of Education became an elected body.)

The original suit is summarized in Judge Wright's recent decision:

In 1967 the basic question presented to the court was whether the defendants, the Superintendent of Schools and the members of the Board of Education, in the operation of the public school system here, were unconstitutionally depriving the District's Negro and poor public school children of their right to equal educational opportunity with the District's white and more affluent public school children. The court concluded that they were, and its decree permanently enjoined the District of Columbia school board from discriminating on the basis of racial or economic status in the operation of the public school system.

This decree was based in part upon the court's finding of a systematic discrimination favoring the west of Rock Creek Park schools in the distribution of District educational resources — in the age and condition of school buildings, in school congestion, in quality of faculty and of text books, in curricula and special programs such as kindergarten, and lastly in per-pupil expenditures. (Page 2; legal references omitted.)

The court ordered elimination of the tract system and optional attendance zones, required school faculties to be integrated, and called for "compensatory education to de facto segregated schools". (Page 4, footnote 3.)

The court held further that per-pupil expenditure is a measure which summarizes most other relevant distributions of educational resources. But on the assumption that compliance with other items of the 1967 decree would have the secondary effect of equalizing overall resource distribution, the court deferred any more specific remedy for the inequality in per-pupil expenditures. (Page 8)

In May, 1970, Hobson filed an amended motion stating that differences in total per pupil expenditures had not decreased since the court's 1967 order, but in fact had increased; plaintiffs requested further action by the court to bring about compliance by the school system with the original decree. Specifically, they asked that per pupil expenditures from the regular D.C. budget at each elementary school not be allowed to deviate from the average per pupil expenditure for all elementary schools by more than 5% above or below the norm (a total range of 10%).

In the course of the following year, many elements of the case were exhaustively argued; memoranda, affidavits, and exhibits filed by both the plaintiffs and defendants stacked higher and higher. In an effort to limit the arguments to manageable issues, Judge Wright made two decisions.

First, the court asked plaintiffs and defendants to state the facts and statistics on which they were agreed. These stipulations became the basic facts on which the court based its decision. (Page 5, footnote 3).

Second, the court agreed with the defendants that some costs, contributing to the per pupil expenditures — such as costs of vandalism, age of school buildings, etc. — were beyond the control of the school system. On the other hand, expenditures for teaching costs were within the control of the defendants and "have a direct bearing on the quality of a child's education." (Page 28). Therefore, "the court has shifted the focus of attention of the parties from total expenditures per pupil to teachers' salaries and benefits, or 'teacher expenditures per pupil.'" (Page 5, footnote 4; also discussed on Page 28.)

Even though the ensuing arguments were based on data to which both parties agreed — and focused only on teacher expenditures per pupil from the regular D.C. Congressional appropriation (not special Federal grants such as Title I and Impact Aid), the issues are complex and occasionally confusing. They include the effects of busing children, the randomness of unequal per pupil expenditures, possible economies of scale, and whether more experienced — and therefore more highly paid — teachers are necessarily better; we will not attempt to outline these issues here.

Judge Wright's conclusion, however, is clear:

After a year of discovery and arguments by memoranda, the record now before the court indicates that a striking differential in per-pupil expenditures for teachers' salaries and benefits exists between schools east and west of the Park and that the differential is greater in fiscal 1971 than it was in fiscal 1970. The area west of the Park where despite voluntary busing, the public school population is today 74 percent white, is decidedly favored over the rest of the city where the school population is 98 percent black, and is especially favored over Anacos-



DIFFERENCES BETWEEN WEST OF THE PARK ELEMENTARY SCHOOLS AND SCHOOLS IN THE  
REMAINDER OF THE CITY, EXCLUDING SPECIAL SCHOOLS.

<u>FISCAL 1970</u>	West of Park	Remainder of City	West of Park Advantage
Pupil-teacher ratio	21.4/1	22.9/1	7.0% smaller
Average teacher cost	\$11,734	\$10,167	15.4% greater
Teacher expenditures per pupil	\$552	\$444	24.3% greater
<u>FISCAL 1971</u>			
Pupil-teacher ratio	18.1/1	20.9/1	15.5% smaller
Average teacher cost	\$12,118	\$11,048	9.7% greater
Teacher expenditures per pupil	\$669	\$528	26.7% greater

DIFFERENCES BETWEEN WEST OF THE PARK ELEMENTARY SCHOOLS AND ANACOSTIA  
ELEMENTARY SCHOOLS

<u>FISCAL 1970</u>	West of Park	Anacostia	West of Park Advantage
Pupil-teacher ratio	21.4/1	24.6/1	14.9% smaller
Average teacher cost	\$11,734	\$10,046	16.8% greater
Teacher expenditures per pupil	\$552	\$413	33.7% greater
<u>FISCAL 1971</u>			
Pupil-teacher ratio	18.1/1	22.6/1	24.9% smaller
Average teacher cost	\$12,118	\$10,775	12.5% greater
Teacher expenditures per pupil	\$669	\$478	40.0% greater

(Chart from Page 7 of the Opinion.)

tia, one of the most poor and black sections of the city. (Pages 3-6; footnotes omitted.)

Particularly in view of the 1967 opinion and decree in this case, these figures [provided by the school system; see chart] make out a compelling *prima facie* case that the District of Columbia schools system operates discriminatorily along racial and socio-economic lines. (Page 7)

The basic question as Judge Wright states it is:

By what lawful justification do the elementary schools in the white and wealthy west of the Park area receive strikingly higher teacher expenditures per pupil, out of regular appropriations uniquely within defendants' control, as compared with all the city's black and generally poorer schools, including

those of the Model Schools' Division? . . . this is a question for which defendants have no satisfactory answer. (Page 10)

The court's 1967 opinion, as reviewed in this decision, had this intent:

While setting a *minimum* standard, the court did not wish to preclude the school administration from focusing, if it saw fit, on equality of output, in terms of giving each student an equal opportunity to attain his own unique potential, rather than on equality of inputs. But, *the minimum required was that there be an equality of inputs in terms of objective resources.* (Page 18, footnote 22; emphasis added in last sentence.)

In 1971, the court finds that the school system is not in compliance with this requirement:

Under injunction to refrain from further discrimination, defendants have failed to comply with this "minimum." The court having found that an unequal distribution of the most experienced and highly paid teachers in favor of the predominantly white west of the Park area *does* favor this area as well in educational opportunity, no excuse for this continuing racial discrimination short of a "compelling state interest" is worthy of this court's attention at this late date in the history of the case. (Page 18, footnote 22)

The defendants have not presented a "compelling state interest" which would justify the findings of discrimination.

The thrust of the defense in this case has not, however, been with the demonstration of such compelling interest, but rather with various attempts to undermine the preliminary finding of discrimination in the dispensation of educational opportunity. (Page 8)

In his review of the school system's arguments, Judge Wright points out that many of the figures and arguments provided by the school system defeat the schools' own case. In one instance, the defendants claim that equalization of teacher expenditures "would amount to 'much ado about nothing' . . . [and] would result merely in an increase of \$3.39 per black child across the city." (Page 28 footnotes omitted.)

The court does not agree:

To take one of many possible examples, if teacher expenditures per pupil in fiscal 1971 at the Draper School (actually \$362) had been at the citywide average (\$497) they would have increased by \$135 per pupil. The increase in total teacher expenditures would then have been approximately \$147,000. Under salary scales currently in effect, this would have permitted the addition of perhaps 15 new teachers at Draper. This addition would have reduced the pupil-teacher ration from the present 25/1 to 18/1. (Page 28)

These figures, combined with the protections clearly provided by the U.S. Constitution, can lead only to this conclusion:

Where teacher experience has not been proved to be unrelated to educational opportunity, where the administration itself has chosen to reward experience, and where a pattern of racial and socio-economic discrimination in expenditures continues in the

District, the law requires either that experienced teachers be distributed uniformly among the schools in the system *or that some offsetting benefit be given to those schools which are denied their fair complement of experienced teachers.* (Page 17; **emphasis added, footnote omitted.**)

Judge Wright raises questions about the competence and/or sensitivity of the school administration in their presumed efforts to comply with his 1967 decision. In discussing the school system's failure to analyze the achievement test scores of children bused to schools west of Rock Creek Park, he says:

While the court does not charge defendants with a lack of candor, it does seem incredible that a school system under injunction to provide equal educational opportunity to all its students would not have shown more interest in studying the effect upon individual student achievement of a voluntary busing program which permits students to transfer from allegedly inferior to allegedly superior schools. That defendants have failed to keep any systematic records of the achievement test results of these bused students raises questions about their effectiveness as administrators, if not about their good faith as parties to this case. (Page 22)

Four years after this court's first *Hobson* opinion, defendants have by their own admission failed to equalize the access of all students to dollar resources for teachers' salaries and benefits. Although defendants have argued strenuously that there is no proven connection between the showing that black students have unequal access to dollars and the crucial constitutional showing that black students are denied equal educational opportunity, the court has found otherwise. For reasons discussed more fully above the court has concluded that both lower class size and greater teacher experience (at least in certain ranges present in this case) contribute to the quality of a child's education. The court holds that defendants have failed to rebut plaintiff's strong *prima facie* case that, despite an injunction against further racial and economic discrimination in the operation of the school system, defendants have continued to offer an education of higher quality to the white and wealthier students west of the Park as compared with the black and poorer students elsewhere in the city.

The court finds further that defendants have failed to offer the legal justification or compelling state interest necessary to overcome the presumptive invalidity of award-



ing benefits which affect the fundamental interests of and results in discrimination against a racial minority. (Pages 23-24)

## Remedy Ordered By The Court

Judge Wright has specified a remedy:

which can easily be understood and effectuated by the school administration and which will once and for all relieve plaintiffs of the burden of coming forth to demonstrate that discrimination continues. (Page 26.)

The remedy proposed by the plaintiffs, equalization of school-by-school per pupil expenditures (all regular budgeted funds) — narrowed by the court to teacher expenditures per pupil (about 80% of regular budgeted funds) — was vigorously opposed by the defendants for three main reasons: (1) conflicts with the Academic Achievement Program (Clark Plan); (2) disruption due to mass teacher transfers; (3) limited average expenditure gains which would have no real impact. The school system offered no alternative remedy of its own.

On the first point, Judge Wright found that a plan to equalize teacher pay per pupil would not conflict with the Clark Plan. (Pages 26-27, footnote 28.) On the second point, he says:

Whether the school administration chooses to define the criterion of teacher "quality" or to stick by its current system of rewarding more experienced teachers on the assumption that they are better, *quality teachers — however identified — should be distributed equally across the system.* If, however, such distribution proves impractical, the proposed order is sufficiently flexible to permit alternative approaches to the problem of providing equal opportunity measured by objective inputs. If spreading the most highly paid teachers equally around the school system were in fact to prove the "devastating requirements in terms of personnel transfers and assignments" that the defendants now fear, then, as has already been suggested in the court's show cause order of September 1, 1970, the schools which do not have their share of such teachers [could instead] be compensated with a corresponding benefit." Both lower class size and higher teacher experience (at least in certain ranges) have a positive effect upon educational productivity. At the moment, the only way known to measure how much of one compensates for a loss in another is by their price. There is no doubt about the school department's right to assign a teacher to a school.

However, if in practice teachers do not react well to this kind of policy, the compensatory policy is still viable. *Children in poor schools can be compensated for not having equivalent quality teachers by having more teachers and thus smaller classes.* (Page 27 footnote 28)

On the third point, the court states what we feel is the heart of the entire decision:

Once a finding of significant variations in expenditures is made, and once a finding is also made that these variations adversely affect the poor and black children in attaining their right to equal educational opportunity, it is wrong to dwell on citywide gains and losses or upon correlations or averages. . . . The existing discrepancies in teacher expenditures per pupil at particular schools have very severe consequences for the students attending these schools . . . . All considered, the court cannot agree with defendants that plaintiffs are seeking an "artificial, meaningless symmetry of expenditure figures." *What plaintiffs have been denied and are now seeking — equal access to objectively measurable educational inputs — is simply the very minimum they are entitled to under the Constitution.* (Page 27, footnote 28; emphasis added.)

After considering all these points, and without any alternative remedy which the school system might have proposed, the court issued several orders.

## ORDER NO. 1

On and after October 1, 1971 per pupil expenditures for all teachers' salaries and benefits from the regular D.C. budget (excluding Federal grants and other special funds) at each D.C. elementary school shall not deviate by more than 5% from the mean per pupil expenditure for all teachers' salaries and benefits at all elementary schools. (This means a total range between highest and lowest acceptable figures of 10% of the mean.) Permission to spend more than 5% over the mean may be granted by the court for schools which provide compensatory education for educationally deprived pupils or special education services for the mentally retarded, physically handicapped, or other "exceptional" students. Permission to spend more or less than the allowed 5% variation from the mean may be granted by the court for schools in which that variance can be "accounted for *solely* on the basis of economies or diseconomies of scale." (Page 30)

The mean per pupil expenditure for all teachers salaries and benefits, city-wide, shall be figured after excluding the teacher costs and numbers of students at each school for which the court has granted an exception for compensatory education or education



of "exceptional" students.

## ORDER NO. 2

Annually by October 1, the school administration shall provide to the plaintiffs and the court, information for every elementary school which will show that the school system is in compliance with Order No. 1. Nineteen kinds of information are required about each elementary school, by name, resulting in — and including — the teacher expenditure per pupil for each school and the mean for the entire system. The schools must also furnish for each elementary school *total* expenditures from all sources and per pupil expenditures from all sources.

## ORDER NO. 3

Any difference in methods of calculation from year to year must be identified and stated in the reports required under Order No. 2.

## ORDER NO. 4

The court allows for the school system's future development of "specific, measurable and educationally justifiable plans" (Page 31) for the District's students which might not meet the above requirements:

At such time, upon a *prima facie* showing that the plans are reasonably designed in substantial part to overcome the effects of past discrimination on the basis of socioeconomic and racial status, the court may modify its present order. (Page 31)

## COMPLIANCE WITH THE COURT'S ORDERS

The school administration, in arguing against the equalization of teacher expenditures per pupil at all District elementary schools, raised the dismal prospect of mass teacher transfers as the only practical way to comply with such an equalization order. Our analysis of the Wright decision clearly shows that teacher trans-

fers are not the only, or even the best way to meet the court's requirements.

Raising teacher expenditures at any given school can be most easily accomplished by *adding* more teachers to the teaching staff at that school, not *transferring* teachers between schools. This does not necessarily mean carving out more classrooms at schools already filled close to capacity. The most beneficial way to add to a school's teaching staff would be to provide those special teachers — in math, language, drama, crisis resource, etc. — who can best meet the students' individual needs.

These special teachers could operate in several ways in different schools. They could work with individual students in some secluded corner. They could spend an hour at a time with several entire classes. Demountables could be used. Or they could transform under-utilized space — the end of a hallway, a stairwell or landing, one wall of a wide corridor, or part of an entrance hall — into a language or math or science center. Here each student could spend some time outside his regular classroom on projects which capture his interests and help him improve his skills.

Other means of increasing teacher expenditures, such as providing teacher aides or teaching machines, might be explored with the court. The school system would have to show that these expenditures raise the quality of education at a particular school to meet the court's requirements.

Given a fixed and limited school budget, where can the money be found for increasing teacher expenditures? Faced with a prospective cut in the fiscal 1972 budget, the school system has offered no more imaginative solutions than a cut in the total number of teachers, an increase in the pupil-teacher ratio, and the elimination of proposed new programs.

The fact that the school system has a comparatively well-populated administrative wing is constantly overlooked. In May, 1971, the Budget Officer for the schools reported that the then current rate of spending for Administrative Services would result by the end of the fiscal year in a \$3 million cost over-run. Similarly, projected Instructional Services costs were \$1.2 million over the amount budgeted. (Memorandum to Members of the Board of Education, from Delroy L. Cornick, Associate Superintendent for Budget and Executive Management, May 19, 1971.)

"Mischarges" may account for some of these enormous budget deficits. However, these figures, combined with statistics cited by the schools showing that the District tops all other large cities in number of professional staff per pupil, (D.C. Public Schools, Proposed Operating Budget for FY 1971, August, 1969, Page 23-XX-9), raise legitimate questions about the size of the administrative staff.

When budget cuts must be made, they should not come first or only out of instructional staff and programs which directly serve students. Any cuts should be made on administrative staff and low-priority instructional programs. An across-the-board cut in all



administrative divisions, to provide for an increase in teacher expenditures, would be less harmful — and probably beneficial — to the instructional goals of the system.

If the school administration were truly sensitive to the instructional needs of all the District's students, they would not have found themselves defendants in a suit such as this in the first place. True, most of the principal original defendants are no longer in charge of this school system. But the lower echelon administrators who decide how to implement policy decisions — constructively or destructively, efficiently or inefficiently — are still with us, and are as difficult to control as the hidden mass of an iceberg.

Rather than the mass teacher transfers which are the only means of compliance offered by the school administration so far, a policy of meeting the individual instructional needs at each school must be followed. For each school below the allowable range in teacher expenditures per pupil, this implies consultations with parents, staff, and students to define those needs; an imaginative survey of each school to identify physical and personnel resources, and creative ways to add needed teaching staff. The same kind of exploration must be made at each school above the allowable range, to find constructive ways to comply with the orders: combining small classes into ungraded units, examining the assignment of special teachers, and offering some teachers new and exciting responsibilities at schools needing their services. We hope the

the school system is seriously considering this approach and not relying simply on analyses of teacher statistics by management consultants.

The D.C. Board of Education has requested that the school staff prepare a differentiated staffing plan which would pay teachers according to their effectiveness rather than their tenure and education; this approach is recommended in the Clark Plan. There are several forms of differentiated staffing as described in our *Bulletin Board* for December, 1970. None of them will *automatically* bring the school system into compliance with the Wright decision; the staffing needs at each school must be the primary consideration.

This school-by-school approach to compliance with the court's orders will be neither quick nor easy. Nevertheless, we are convinced that it will produce the greatest benefits to the students as well as meeting the requirements of this decision. If such a plan is energetically designed and pursued, it is quite possible that Judge Wright might grant an extension of the date set for initial compliance; this would give the schools more time to make the plan a reality.

The tone and language of his opinion make it clear that sensitivity and commitment to the goal of equal educational opportunity for all the District's students, plus firm and uncompromising leadership in moving toward that goal, are the most important attributes by which compliance with the court's orders must be measured.

As of August 1, 1971, the only information available to citizens on the school system's plans to comply with the Wright decision was contained in newspaper stories. On July 9, 1971, the Washington Evening Star reported:

A team of consultants has been hired by the District Board of Education to work out a plan for equalizing per pupil expenditures in the city's elementary schools to conform to an order by a Federal judge.

The school board two weeks ago authorized \$44,866 to hire the consultants, and work on the equalization plan began July 1.... Under terms of a contract with members of the consultant team, several different, computerized plans will be submitted to the administration by August 2.

The members of the consultant team were identified as Lawrence S. Lewin, vice president of Thompson, Lewin and Associates; H.S. Winkur, Jr., of Inner City Fund; and Charles A. Rossotti, of American Management Systems.

The Star article further stated:

While August 15 is aimed for as the wrap-up date on the project, "the final product date depends on how quickly the board and the administration responds to our interim report," said Lawrence S. Lewin, who will head the consultant group.

There is no indication in the newspaper stories of plans to involve citizen groups, parents, or the Washington Teachers Union in choosing the best method of compliance.

*The complete text of all of the opinions in the Hobson v. Hansen case from 1967 to date is available for reading at the D.C. Citizens for Better Public Education office, 95 M Street S.W. Additional copies of this issue of the Bulletin Board, and copies of our April, 1968 publication, "What did Judge Wright Really Find?" may be obtained by calling DCCBPE at 484-7030.*



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Two weeks after the decision, on July 1, three new members of the school board — Anita Allen, Julian Dugas, and Albert Rosenfield were sworn in. The new school board's first action was to deny Hansen's request to appeal the decision, while he was their employee, and to accept his resignation as Superintendent.

The school board then adopted Acting Superintendent Benjamin Henley's recommendations for compliance with the decree. Included were new boundaries for former "optional" schools, a "color conscious" teacher assignment policy, plans to bus volunteering pupils to less crowded schools, and suggestions for classroom organization to replace the track system.

During the 1967-68 school year, administrators and citizens developed new secondary school boundaries which would provide the "maximum feasible racial and economic integration" required by the decision. Volunteering elementary school pupils from over-capacity schools were bussed to less crowded schools throughout the city.

Although the track system was abolished, little was done, on a city-wide basis, to replace it. Some secondary schools grouped children by ability; others organized classes alphabetically; a few elementary schools organized ungraded primary and intermediate classes; most, afraid to be drawn further into the controversy, avoided innovation.

Meanwhile, other factors were affecting the reaction and response to the Wright decision. One day after the ruling, the long awaited Passow report on the D.C. schools was published. The report said the schools were in "deep and worsening trouble," and recommended sweeping changes to meet the children's needs. The school board appointed an Executive Study Group to make specific recommendations for change — keeping in mind the Wright decision.

In December, 1967, William Manning accepted the task of running the D.C. schools within the framework of the Passow report and the Wright decision.

In the spring of 1968, Congress passed the Elected School Board law, and in November, the city's voters went to the polls to choose an 11 member Board of Education.

Julius Hobson was the only candidate to win a clear victory in the election. The other 10 seats were filled in a run-off contest a month later. The only incumbent members of the old, appointed board who won elected seats were Mrs. Allen, Rosenfield, and John Sessions.

One week before the elected school board was installed, the U.S. Court of Appeals upheld the Wright decision, and ruled against Hansen, Carl Smuck (a former board member) and a group of 20 parents, who had alleged that the 1967 school board had not supported their interests when it voted against an appeal of the decision.

Interviewed just prior to taking his seat on the board, Hobson was asked how he intended to re-shape the school system he accused of "destroying the children." "I am going to start," he said, "by asking some questions."

Hobson was defeated in his quest for re-election at the end of his one year term on the school board in the 1969 elections. However, the questions he raised about per pupil expenditures, special projects and experiments — their cost and locale — led eventually to his request for an amended motion for further relief on behalf of the city's poor children, which was granted in May 1971.

Midway through 1969, the school board, impatient with the slow pace of change, relieved Manning of his duties as Superintendent. Once more, Henley was named acting Superintendent — a position he held until Hugh Scott was hired 14 months later.

In December, 1970, Judge Wright ruled in favor of parents in Ward 3 and Ward 8 who sought relief for school zoning problems in their communities.

The Ward 3 parents objected to a boundary change which would reduce the number of white children zoned into Gordon junior high school. Judge Wright ruled that the proposal to send Hearst and Mann pupils to predominantly white Deal junior high was a violation of his 1967 decree and ordered the pupils re-assigned to Gordon.

The Ward 8 parents opposed attendance zones planned for the new Leckie elementary school. They said the proposed zones would send poor children to the old school, Patterson, and more affluent children and pupils living on nearby military bases to the new school.

After a hearing, and a visit to the site, Judge Wright ordered the school board to "reconsider" the boundaries, and to "consider a pairing plan that would send all pupils in the area to Patterson for grades 1-3, and to Leckie for grades 4-6." The new boundaries, effective in September, do not follow the suggestion to "pair" the schools, but they do divide the children from the military bases. Bolling AFB pupils will go to Patterson, and Naval Base pupils will attend Leckie.

Last month Judge Wright turned down a request for relief filed on behalf of 10 pupils suspended from special education classes. He agreed that their plight was "a human tragedy," but added that it "is not part of the Hobson vs. Hansen case."

In the May, 1971 decision, Judge Wright ordered the Board of Education to report annually on compliance with his decree. Such an order may keep all involved constantly aware of their obligation to provide equal educational opportunity for D.C. children.

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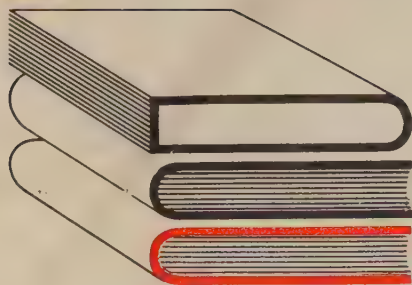
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DISTRICT OF  
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## FOR BETTER PUBLIC EDUCATION, INC.

QUESTIONS AND ANSWERS ON JUDGE SKELLY WRIGHT'S DECISION: HOBSON V. HANSEN

### WHAT DID JUDGE WRIGHT REALLY FIND?

Judge Skelly Wright's opinion in Hobson v. Hansen, decided last June 19, has been a source of continuing controversy and misunderstanding in the District of Columbia. D.C. Citizens for Better Public Education has found that many residents of Washington -- including some school administration officials -- are not aware of the factual findings in the suit, and do not understand fully the remedies ordered by Judge Wright.

As a public service, CBPE is publishing several frequently asked questions about the decision, along with answers provided by our legal consultants. These answers have been unofficially reviewed and cleared by the District of Columbia Corporation Counsel.

Extra copies of these questions and answers can be picked up at our office. Full copies of the Hobson v. Hansen decision reprinted in the Congressional Record for June 21, 1967, beginning on page H7655, are available for sale at 36¢ a copy from the Superintendent of Documents, Government Printing Office.

\* \* \* \* \*

#### 1. Who were the plaintiffs and defendants in the Wright Decision?

The Plaintiffs in the case were Julius Hobson, suing on behalf of his children as Negro pupils in the District of Columbia public schools. The defendants were Dr. Carl Hansen, Superintendent of Schools and the Board of Education of the District of Columbia.

#### 2. What generally was the claim made by Julius Hobson against Dr. Hansen and the School Board?

The suit was attacking de facto segregation and unequal treatment of disadvantaged and most Negro pupils in the District of Columbia public schools.

#### 3. What specific claims were made by Julius Hobson to back up his claim that the disadvantaged and Negro children attended segregated schools inferior to those of the white and more affluent children?

The plaintiffs maintained that the policy of having children attend schools in thier own neighborhood, with substantially segregated housing in the city, resulted in a school system where most of the white children (making up only 10% of the total number) went to school with other white students rather than with





Negroes; that the optional pupil transfer zones had been used in a calculated way as a means of escape for white children who did not want to attend school with poor Negroes; that the track system extended segregation of the disadvantaged and froze children into categories from which it was almost impossible to be reassigned because of the prejudicial manner and infrequency of testing; that the school system maintained teacher segregation in the Washington public schools.

4. Did Judge Wright accept the factual claims made by the plaintiffs?

Yes. Among the conclusions respecting the comparative inferiority of the predominantly Negro schools, the court found that "the school system's most ancient and dilapidated buildings can be found in the low income areas...the Negro ghettos." "The predominantly Negro schools suffer from drastic student overcrowding..., even while the 85-100% white schools flourish with empty seats and classrooms." The Negro schools were found to be at 115% capacity, while the white schools were 77% capacity. "... (T)he teachers at the predominantly white schools are a clear class above predominantly Negro school faculties in quality." "... (M)edian per pupil expenditure in the predominantly Negro elementary schools has been a clear \$100 below the figure for predominantly white schools..." "Every student within the boundaries of predominantly white schools gets a chance to attend kindergarten in his neighborhood school; the comparable opportunity is available in the predominantly Negro neighborhood only if classroom space is available -- and often it is not." "The predominantly Negro schools, thus, are at severe comparative disadvantage in major respects." (H7689)

5. Did Judge Wright find that the disparities between Negro and white schools were a result of deliberate policies and actions on the part of the defendants?

Yes and No. The court stated: "The causes of the inequalities are relatively objective and personal...(I)n the face of these inequalities they (school officials) have shown little concern." Near the beginning of the opinion, Judge Wright wrote: "... (T)he court is forced to the conclusion that the school administration's response to the fact and dilemma of segregation has been primarily characterized -- at its best -- by indifference and inaction."

6. Did Judge Wright find that de facto segregation was illegal in the District of Columbia public schools at this time?

No. Although the court was convinced that de facto segregation works to the disadvantage of Negro students and prevents the alleviation of racial prejudices, it did not declare it unconstitutional. Nor did the court order that there must be integration of all schools in Washington. Judge Wright did, however, order that there should be no racial and economic discrimination in the District public school system, and ordered that the defendants "file for approval by the court a plan for pupil assignment eliminating the racial and economic discrimination found to exist." Superintendent Manning submitted the school administration's plans to the court on January 2, 1968.

7. What orders were made by Judge Wright to be carried out immediately in the running of Washington's public schools?

- (a) Abolition of the track system;
- (b) Abolition of the optional zones;





- (c) Transportation for volunteering children in overcrowded elementary schools east of Rock Creek Park to underpopulated schools west of the Park; and
- (d) "Substantial" integration of the faculty of each school beginning with the school year 1967-68.

8. Why did Judge Wright abolish the track system in the Washington public schools?

The court found that the testing procedures used to divide children into tracks did not reflect the ability of the young student. Written tests developed for students from completely different backgrounds do not test educational potential so much as they indicate prior opportunities in the home and community. Testing as practiced was therefore found to be an inappropriate measure of ability for the majority of pupils. The court also found that the compensatory and remedial education supposedly given those in lower tracks was inadequate, the result being that children placed in lower tracks at an early stage of their education had very little chance of moving up to higher tracks.

Because of these factors, the school system could not justify placing and retaining children in lower tracks on the supposition that they could do no better, given the opportunity to do so.

9. Did Judge Wright abolish all ability grouping in the District of Columbia public schools?

No. The court said that "...it should be made clear that what is at issue here is not whether defendants are entitled to provide different kinds of students with different kinds of education." There is no mention of eliminating all groupings, but only those where there is such a great chance of error as existed in the track system. To provide special education for the mentally retarded separate from other pupils is thus not illegal under the Wright opinion. What was abolished was the track system as it then existed.

10. Did the Wright opinion order that the neighborhood school policy be eliminated in the District, or that the boundaries for schools be changed?

No. The opinion made the following findings and orders: "The use by the defendants of the neighborhood school policy...is the primary cause of the pupil assignment discrimination. Because of the 10 to one ratio of Negro to white children in the public schools of Washington and because the neighborhood policy is accepted and is in general use throughout the United States, the court is not barring its use here at this time."

However, the court did refer to its order that the school administration submit a plan to alleviate pupil segregation, saying that "it is not inappropriate to suggest that in the course of its inquiry the (School) Board should reinvestigate the alterations of the Wilson-Coolidge (high school) and the Paul-Deal (junior high) zones recommended by the Urban League" (in 1964). Under the alterations proposed in 1964, 200-250 Negro high school students living in the area of the Bancroft elementary school east of the Park would have been sent to Deal and Wilson. 300 white children from the Lafayette elementary school area west of the Park and north of Military Road would have been sent to Paul and Coolidge.

The Court therefore did not order that boundaries be changed immediately,





but it did express concern with the existing situation, and certainly suggested that the assignment plan developed by the School Board would be scrutinized by the court with a view of achieving a maximum of student intergration where feasible.

11. Did the court order that there should be bussing of Negro and white students throughout the school system to achieve racial integration?

No. The only bussing that the court ordered for the school year of 1967-68 was that of volunteering Negro and white students from overcrowded elementary schools to undercapacity schools west of Rock Creek Park, with expenses paid by the school administration.

At the same time the court expressed itself in favor of maximum possible integration within the school system, and reserved its right to make further orders until the School Board had devised its own plans in compliance with the findings of the court. It is not clear exactly what the court would require if it were not satisfied with the plans submitted by the School Board, but it did require "that the defendants consider the advisability of establishing educational parks, particularly at the junior and senior high levels, school pairing, Princeton and other approaches toward maximum effective integration."

12. What findings did the court make about teacher assignments in the Washington public schools?

The court found that teachers were allowed for the most part to select their own assignments, and that this had lead to substantial segregation among the faculties of the schools. "... (I)ntentional teacher segregation in the District still goes on, not only in separating white from Negro teachers but assigning them respectively to schools with predominantly white and Negro student bodies... (T)his persistent segregation is plainly defective, constitutionally."

13. What did Judge Wright demand that the school system do about the teacher segregation which it found?

"... (F)irst, that an injunction should be directed against every possibility of willful segregation in the teacher assignment process... Next, assignment of incoming teachers must proceed on a color-conscious basis to insure substantial and rapid teacher integration in every school. And finally, to the extent that these two measures are unable quickly to achieve sufficient faculty integration in the schools, this court... has no doubt that a substantial reassignment of the present teachers, including tenured staff, will be mandatory. (Because the parties did not argue this question), and considering the limitations of time, for the 1967-68 school year the court is content to order 'substantial' teacher integration in those schools where complete segregation or token integration of faculty has heretofore existed." (H7696)

14. Considering the Negro-white pupil ratio in the District of Columbia schools, is it possible to comply with Judge Wright's decree?

Yes. The opinion recognizes the preponderance of Negro students, and requires maximum integration to the extent feasible. The opinion also requires the elimination of economic discrimination, and if equal educational opportunities were made available, even in a predominantly or all Negro school, there would be compliance with the decree.







...and in this corner:

## JULIUS W. HOBSON

My name is Julius W. Hobson. I am the Director of the Washington Institute for Quality Education. WIQE is a non-profit organization designed to develop action research programs in public education. I also teach a course at the American University entitled, "Social Problems and the Law." I am here to discuss: 1) the effect of unequal resources among schools within school districts and 2) the extent to which federal programs benefit disadvantaged children, using the D.C. school system as an example.

In the District of Columbia, education is a big industry and should be administered as such. Washington schools have an average annual budget of over \$150,000,000\*, with approximately 18,000 employees (6,817 of them teachers) serving some 143,000 children (more than 97% black), who attend school in over 200 public buildings.

Up to now, large urban school systems in the United States have traditionally consigned the poor and the black children to the social and economic junk heap. This goal has been

accomplished through a variety of vehicles, some obvious, like simple segregation by race, others more subtle, such as an unequal distribution of educational resources, rigid tracking, and inferior physical plants. The Washington, D.C., school system has been guilty on every count. In fact, my first challenge to the D.C. schools occurred in 1953, under Superintendent Carl Hansen, when I attempted to take my six-year-old son to the closest elementary school (all-white), rather than transport him out of our neighborhood to another school (all black). There were no top level objections then to busing children in order to maintain segregation. The whole issue of busing is camouflage — both on the part of Nixon and of the NAACP — to cover what we refuse to deal with, inequality in the distribution of public resources.

Let us go back through history. Nearly 20 years ago, *Brown v. Board of Education* shook the entire country and exposed the bitter consequences of racism in the United States. Although it was an extraordinary decision, it still masked a





greater fight, which is now being faced by this committee.

Blacks applauded the death of the separate-but-equal doctrine, not because of an enormous desire to integrate, as suspected by fearful whites, but because we knew where real educational resources were — in the white schools. Black schools, such as the one I attended in Birmingham, Alabama, were subject to the whim and caprice of white officials like the white superintendent who spoke at my graduation and who said, "You sing so well that God must have set aside a separate place in heaven for you people."

Integration was only a temporary and expedient ploy to postpone the more important and revolutionary issue related to the equal distribution of public funds in public programs; in other words, should tax benefits be disbursed according to the level of payment, or, in a democracy, should we be talking about "one man, one dollar?"

It is extraordinary to me that the really significant questions have been ignored for so long and that we are now, for the first time, addressing ourselves to what is obvious. The fight for equal resources is not a black/white fight; it is a war perpetuated by those who benefit most from public resources against those unable to object.

The research leading to Judge J. Skelly Wright's opinion of June, 1967, in the *Hobson v. Hansen* case, exposed the differential treatment within the District of Columbia school system. After a two-year struggle, we were able to secure through court order data on the average expenditure per pupil in elementary schools. These data ranged from a low of \$216 per child in the poor and black community to high of \$627 per child in the wealthy white community, or 190% more for the white child than for the black in the school year of 1963-1964.

When these data were put before the court, the differential in expenditures per pupil between the lowest school in the predominantly white community amounted to \$411. By 1968, this spread had increased to \$506. Data for 1970 showed that the differential had reached an unbelievable \$1,719.

Judge Wright's 1967 opinion decreed that discrimination in the distribution of public resources based on race or income was unconstitutional and thereby ordered the school system to set about eliminating this differential. The judge stated that:

The doctrine of equal educational opportunity for Negro and poor public school children of the District of Columbia, under the equal protection clause in its application to public school education, is in its full sweep a component of due process binding on the District of Columbia under the due process clause of the Fifth Amendment.

The D.C. school administration made no attempt to abide by the judge's decree, even though it was upheld at the appeals court level. Thus, the plaintiffs returned to court in 1970, asking that the school administration be directed to equalize expenditures per pupil based on teachers' salaries from regular budgeted funds. The court found on behalf of the plaintiffs

and so ordered on May 23, 1971.

My testimony from here on will deal with the statistical proofs upon which the case was based. The D.C. public schools over the last six years have fared well in terms of money received from the U.S. Congress. In fact, the data in TABLE I show that the D.C. public schools have had an increase in appropriated regular budgeted funds of 83.5% from 1966 through 1971 and that the average amount of funds appropriated versus funds requested over the same period amounted to a fantastic 95.8% — a higher batting average than any other school district in the United States.

TABLE II shows that in the fiscal year 1969, the D.C. public schools had more professional staff (excluding teachers) per 1,000 pupils than does, for example, New York City, Philadelphia, Baltimore, Boston, or Cleveland.

It appears, therefore, that the "answer" is not more money to do more of what the school system is already doing or to add more deputy and duplicate superintendents, but rather to engage in a more economical and intelligent utilization of existing funds directly in behalf of the children.

The scatter diagram entitled, "Relation of Average Per Pupil Expenditures to Neighborhood Income Levels for the School Year 1969-1970," shows one D.C. elementary school at the highest extreme had average expenditures per pupil of \$2,024, while the lowest expenditures per pupil in another elementary school came to \$305, or a differential of \$1,719.

(In) the WIQE publication entitled, *The Damned Children: A Layman's Guide to Forcing Change in Public Education*, . . . a glaring picture is painted of segregation and discrimination in public education in this city from the school years 1906 through 1969.

The discussion of federal funds and their effect on disadvantaged children will relate to Charts (2 and 3), found also on pages 27 and 29 of *The Damned Children*.

Following *Hobson II* comes the decision from the Supreme Court of the State of California on August 30, 1970, stating that, "The California public school financing system, with its substantial dependence on local property tax and resultant wide disparities in school revenue, violates the equal protection clause of the Fourteenth Amendment."

The court related further that, "We have determined that this funding scheme invidiously discriminates against the poor because it makes the quality of a child's education a function of the wealth of his parents and neighbors."

While this is a landmark decision, which, if left standing will revolutionize funding among school districts within the states, it does nothing about discrimination against individual children within school districts and still allows the kind of discrimination to exist which existed in the District of Columbia in 1964. It is still possible in the State of California for any one school within a school district to receive one-half the funds received by any other school within that district, thus leaving school districts with full right to continue discrimination against minorities and poor children under their jurisdiction.





It is evident that the parents in California are faced with duplicating the **Hobson v. Hansen** decision in order to assure the elimination of discrimination against minorities and the poor. In other words, California is where the District of Columbia was in 1967.

It is always surprising to me that so-called "well-meaning" parents, teachers, and citizens who enjoy the greatest share in public resources always defend their position by stating that money doesn't matter, that the problems of the poor involve broken homes, unruly children, poor habits, alcoholism, and drugs; yet, I have never heard a poor family say that additional — certainly, at minimum, equal — resources would not be of enormous help.

**The Damned Children** attempts to deal with this myth and to face inequality in school finances, an issue which now extends beyond the institution of education; for if it is unconstitutional to discriminate in the distribution of public resources in education, might it not also be unconstitutional to discriminate in the distribution of jobs and other public services, such as health, transportation, and even sanitation?

JULIUS W. HOBSON, DIRECTOR  
WASHINGTON INSTITUTE for QUALITY EDUCATION  
300 M Street, S.W.  
Washington, D.C.  
554-3308

TABLE I  
D.C. PUBLIC SCHOOLS  
REGULAR BUDGET FUNDS:  
REQUESTS VERSUS APPROPRIATIONS  
FISCAL YEARS 1966-1971  
(IN MILLIONS)

YEAR	TOTAL AMOUNT APPROPRIATED	TOTAL AMOUNT REQUESTED	PERCENT OF REQUESTS APPROPRIATED	PERCENT OF APPROPRIATION INCREASES
1966	\$ 75.6	\$ 80.7	93.7%	
1967	\$ 86.1	\$ 85.8	100.3%	13.9
1968	\$ 95.9	\$106.0	90.5%	11.4
1969	\$101.5	\$104.8	96.9%	5.8
1970	\$123.9	\$133.5	92.8%	22.1
1971	\$138.7	\$137.6	100.8%	11.9

Increase in appropriated funds from 1966 to 1971 = 83.5%

Average amount of funds appropriated versus funds requested, 1966-1971 = 95.8%

SOURCE: D.C. Public Schools Finance Office





TABLE II

OPERATING EXPENDITURES PER PUPIL  
PROFESSIONAL STAFF, AND TEACHERS SALARY RANGES  
FOR WASHINGTON, D.C.,  
AND OTHER SELECTED SCHOOL SYSTEMS  
FISCAL YEAR 1969

SCHOOL SYSTEM	OPERATING EXPENDITURES PER PUPIL (1) (ALL FUNDS)	PROFESSIONAL STAFF PER 1000 PUPILS (2)	TEACHER SALARY RANGE (3)	
			BEGINNING	MAXIMUM
New York, N.Y.	1,031	54.5	6,750	13,000
Fairfax Co., Va.	1,008	45.6	6,400	16,000
Buffalo, N.Y.	960	52.5	6,800	12,510
Phila., Pa.	941	N.A.	6,700	13,300
Wash., D.C.	839	63.0	7,000	13,440
Arlington Co., Va.	N.A. (4)	55.6	6,200	13,702
Montgomery Co., Md.	801	50.8	6,340	13,377
San Diego, Cal.	801	N.A.	6,650	14,010
Seattle, Wash.	801	48.3	6,175	12,250
Prince George's Co., Md.	747	51.0	6,200	13,640
Baltimore, Md.	707	49.3	6,500	12,400
Cleveland, Ohio	682	N.A.	6,250	11,000
Boston, Mass.	680	55.2	6,500	12,350

(1) Figures from D.C. Public Schools, **Proposed Operating Budget for FY 1971**, August, 1969, p. 23-XX-6

(2) Figures from D.C. Public Schools, **Proposed Operating Budget for FY 1971**, August, 1969, p. 23-XX-9

(3) Figures from National Education Association, **Salary Schedules for Teachers 1968-69**, Research Report 1968-R13, 1968, pp. 26-107

(4) FY 1969 figure not available; was \$810 in '67-'68.

SOURCES:

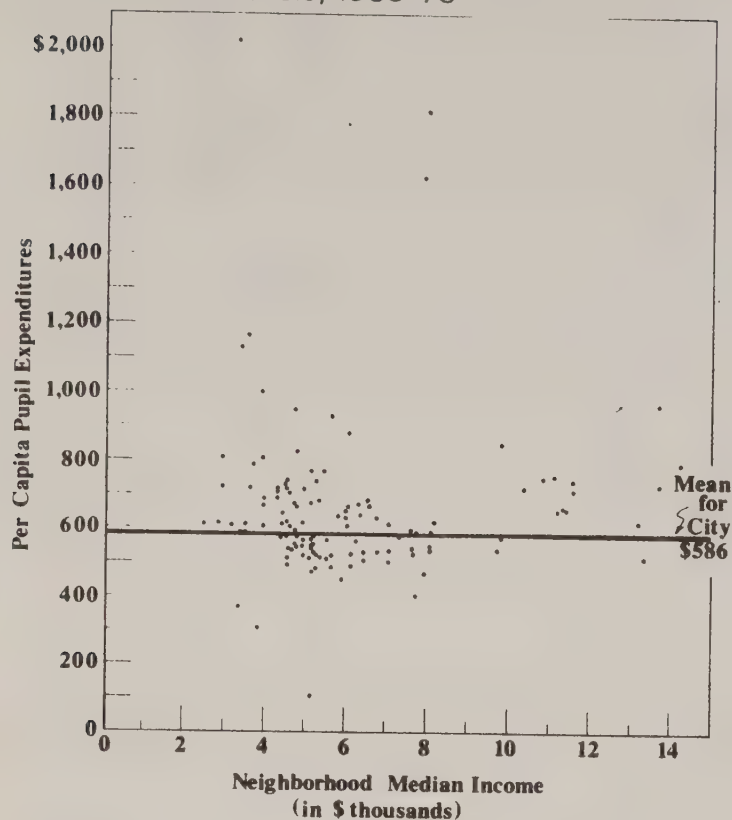
DC Public Schools, **Proposed Operating Budget for FY 1971**, p. 23-XX-2.

In a report prepared by the District government in June, 1970, professional staff per 100 pupils is shown as 63.0 for FY 1969. (Government of the District of Columbia, **Supporting Materials, Federal Payment**, pp. 1-4.)

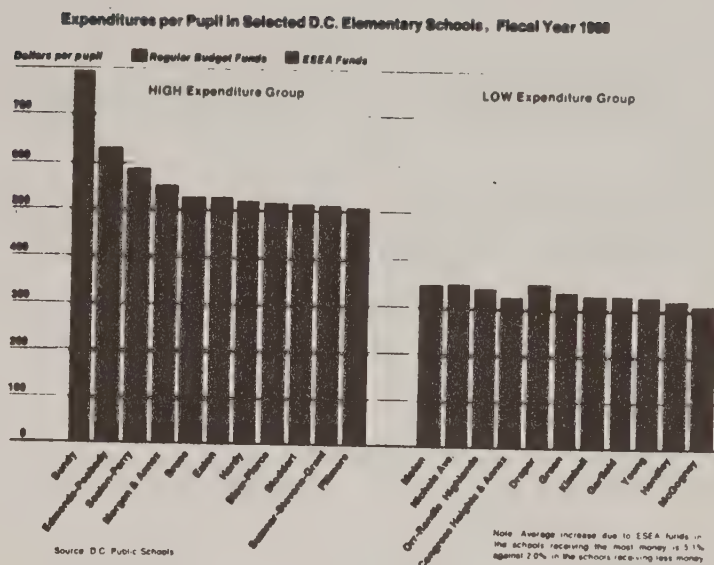




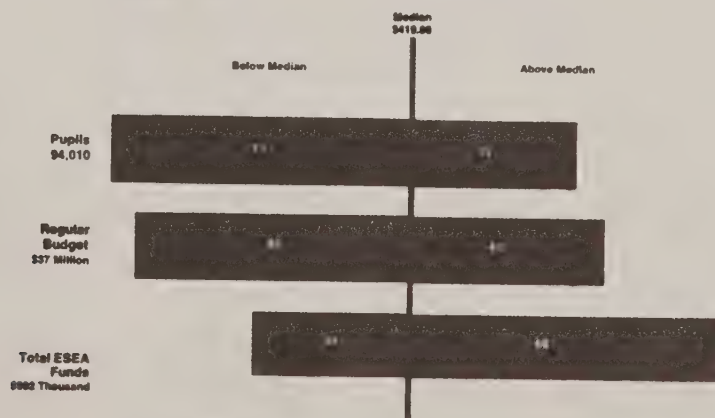
# D.C. ELEMENTARY SCHOOLS Relation of Average Per Pupil Expenditures to Neighborhood Income Levels, 1969-70



\*source: D.C. Public Schools



## Pupils and Expenditures in Schools Above and Below the Median Expenditure\* per School, 1968



Military Road School not included

\*Median expenditure based on ESEA plus regular budget funds. Average expenditure—above median \$470 below median \$360

Source: D.C. Public Schools. Superintendent's letter dated May 26, 1969





FOR RELEASE  
March 9, 1970

Julius W. Hobson  
554-3308

Failure of the D.C. Public School Authorities  
to Implement Judge Skelly Wright's Decision in the Hobson v Hanson Case

".... The Washington school system is a monument to the cynicism of the power structure which governs the voteless Capital of the greatest country on earth."

So stated Judge Skelly Wright in his decision handed down on June 17, 1967.

Judge Wright found in essence that it is unconstitutional to distribute public educational resources on a discriminatory basis. The court decreed that these resources be equalized. The inequity in the total expenditure of money per student, particularly in the poorer schools, was specifically pointed out by the court. Yet more than two years later the data show that there has been no organized attempt on the part of school authorities to carry out this basic part of the Judge's order.

The total expenditure per pupil gap shown by public school data in 1965 amounted to a \$411 spread between the lowest and highest schools in the city. The latest available data, 1968, show that this gap has not been closed but has widened to a \$492 spread between the lowest and highest schools.

In 1965, the highest average expenditures per pupil were in schools located in the highest income areas of the city. The latest data published by the school administration for 1968 show that the areas with income ranges of \$10,000 to \$12,000 and over still contain the schools with highest per pupil expenditures based on regular budget funds.

The 1965 data placed in evidence also showed that the schools with the lowest expenditure per pupil in the city were located in Southeast Washington. The latest new figures published by the school administration reveal the same pattern of inequity.

In the area of special projects the school administration violated the law in the distribution of compensatory funds. The cheating by D.C. Public Schools in the use of ESEA funds is worse than what is happening in the South.





It is amazing to find our own school system, primarily Black, still discriminates economically against the poorer schools -- even with compensatory funds! As the newly published figures show, the average increase in expenditures per pupil due to ESEA funds spent in the schools with higher regular budgets was 5.1% -- more than twice the increase caused by ESEA funds (2.0%) spent in schools with the lowest regular budget.

Expenditures per pupil are basic indicators of the extent to which all programs in the public school are implemented in a fair and impartial way -- for the benefit of all students, these figures reflect such practices as unfair distribution of library facilities, experienced teacher assignments, books per pupil, equipment and supplies and special project administration.

Following a series of reports from the school administration requested by the Committee to Implement the Wright Decree, it became increasingly apparent that despite "words" charging the contrary, the administration was not in fact implementing major portions of the court's rulings. The School Board, on July 7, 1969, rejected a motion that the Board "... meet a minimum of once a week this summer and as many times as necessary to implement this (court) decree." In some cases where the Board of Education has instructed the school administration to deal with a specific inequity and report back to the Board, these instructions have been ignored.

It is apparent that the school administration is neither capable of achieving nor concerned about equal educational resources for all children in the District of Columbia.

Although eliminating economic discrimination, by equalizing general fund expenditures (and resources) plus concentrating special title funds in poorer schools, will not solve all educational problems -- it is a necessary and court ordered step which the administration can or will not take. Therefore, I can only predict an increasing inequity which is already contributing to a sporadic revolt of the students. Since any general rebellion will cause a clear and present danger to all students, I must now ask the court to place the school system in receivership under a court-appointed master to end the systematic destruction of our children.

####





3-1-0

PRESS RELEASE

FOR IMMEDIATE RELEASE

Wednesday, July 19, 1967

Contact: Pat Saltonstall  
244-8369 after 6 p.m.  
William Higgs  
543-8699

HOBSON APPEALS FOR FUNDS TO MEET  
CHALLENGE TO LANDMARK SCHOOL DECISION

In his sweeping decision of June 19, 1967, U.S. Appeals Court Judge J. Skelly Wright ruled in the case of Hobson v. Hansen to overturn discrimination against poor, black children in the D.C. public schools.

The historic decision, already established as one of the nation's most controversial and far-reaching, is now being challenged by Superintendent of Schools Carl F. Hansen in a private action although under order from his employers, the D.C. Board of Education, not to appeal.

Plaintiffs and their attorneys will challenge Dr. Hansen's appeal on the grounds that he has no further legal standing as defendant following his July 31 retirement as superintendent. Should his appeal be accepted, plaintiffs and their attorneys will once more face a lengthy and costly court action. Moreover, not only has Dr. Hansen filed his intention to appeal, he is applying to intervene as a private citizen at the U.S. District Court level. This could well produce additional costly litigation.

Because of much community confusion about how the suit has been financed to date and whether sufficient funds have been available to plaintiffs and their lawyers, Hobson is releasing today a financial statement for the period December 1965, when Hobson first retained William Higgs to represent him, through June 1967 when the first cause of action dealing with the appointment of school board members was appealed to the Supreme Court. A brief history follows.

Hobson and a small group of attorneys and assistants fought an 18-month long court fight in the U.S. District Court for the District of Columbia. Initial costs for the suit were advanced by them until later fund-raising efforts began to produce contributions. Two fund-raising events were held just before and just after the months' long trial. Individual, organizational and church contributions began to arrive with increasing publicity about the trial.

Taking frequent annual leaves and on his own time, Hobson provided the extensive statistical research services and analysis which formed the structure of factual data around which the case was built. Miss Pat Saltonstall served as a full-time volunteer for a year to research the D.C. schools, assist the attorneys daily throughout the trial, and direct fund-raising efforts.

Throughout the trial the three attorneys, Higgs, William Kunstler, and Jerry Anker, worked almost entirely without reimbursement. All monies received were utilized for payment of court costs, such as the \$5000 cost for a daily transcript and witnesses' depositions, and attorneys' expenses.

Gradually, a number of citizen and church groups rallied to raise funds to meet the mounting indebtedness of Hobson, his attorneys and assistants. However, the total indebtedness now stands, on the eve of this new court challenge, at \$9,911.

Hobson calls the suit a rare opportunity for voteless District residents to effect a true and lasting change in their schools. He and his assistants cannot carry the new challenge alone, he says, and urgently require financial relief for the indebtedness they have incurred. And the future of other school systems will depend heavily on his ability to fight the threatened appeal, he adds, since already groups in New York City, Boston and Detroit are preparing lawsuits based on the Hobson v. Hansen decision.

Checks should be made payable to: Pat Saltonstall, Treasurer, Hobson v. Hansen Fund,

c/o The Rev. William A. Wandt, St. Stephen and the  
% the Rev. William A. Wandt, St. Stephen  
and the Incarnation



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In his 1964 report, the author stated that the U.S. government had been misled by the U.S. intelligence community in its assessment of the U.S. military's capabilities in Vietnam.

The U.S. intelligence community, which was responsible for the U.S. government's assessment of the U.S. military's capabilities in Vietnam, had been misled by the U.S. intelligence community in its assessment of the U.S. military's capabilities in Vietnam.

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# District of Columbia Citizens for A Better Education

(This material was picked  
up at UPD Center #1 11/14)

In appointing William J. Manning as Supt. of Schools in the District of Columbia, the Board of Education has been accused, among other things, of "systematically excluding the public" from the selection process leading to this appointment.

In an effort to discover to what degree this charge is true, the following facts are presented. They are not intended to constitute an answer to any other questions presently before the courts, such as action taken in secret meetings, the propriety of using advisory consultants, the legality of the judicial appointment of present school board members, secret ballots, conflicts of interest, etc., etc., though they may have relevance to some of these questions.

## APPOINTMENT & CHARGE OF THE AD HOC COMMITTEE

July 4, 1967, newspapers carried the announcement that Dr. Carl Hansen would resign at the end of the month as DC school superintendent. On July 8 the President of the Board of Education appointed an Ad Hoc Committee, under the chairmanship of Mrs. Anita Allen, to "seek funds and take the necessary steps in finding a new superintendent, including

- 1) getting suggestions from Board members;
- 2) encouraging "the organized citizenry to submit names of possible candidates;"
- 3) getting advice and suggestions from the Secretary of HEW and the Office of Education;
- 4) investigating the use of consultants "to aid in the screening & interviewing process, & secure them, if necessary or desirable;"
- 5) assembling information about the candidates for the entire Board.

## NAMES SOLICITED

July 12, letters were sent to 134 community organizations asking for names of possible candidates by July 20. This list included: ACT, CORE, ADA, CHANGE, 100 Ministers Committee, all NDC's, all civic associations, all citizens associations and many other groups. Fourteen local civic groups and 28 private citizens responded. Groups suggesting candidates names included:

the Kalorama Citizens Associations  
the Teachers Union  
the School Action Council for Capital East (also suggested criteria)  
the Mt. Pleasant Citizens Association  
B'nai B'rith

### CCAPE

DC Citizens for Better Public Education  
the Mayfair-Parkside Civic Association  
the DC Association of Classroom Teachers (Also suggested criteria)  
the NW Settlement House  
the Capital Hill SE Citizens Association  
the Committee of 100 Ministers  
the Petworth Citizens Association, and  
the Southeast Civic Association

The Federation of Citizens Associations wrote to protest the July 20 deadline, which was not, in fact, adhered to.





July 18 the Ad Hoc committee met (in an open meeting announced to the press) to establish criteria for the selection of the superintendent. The final criteria developed included most of the ideas also developed by the two citizens groups which considered this question.

#### CONSULTANTS

On August 4, the entire school board was informed that all names so far received had been sent to a committee of consultants headed by Dr. Frances A. J. Ianni for them to add to and to evaluate preliminary to submitting to the Board of Education a list of candidates the consultants "would be willing to certify as outstanding possibilities for the position." The list sent to the Ianni group included names suggested by citizens, local groups, School board members, people from all parts of the U.S., and of applicants who had heard the position was vacant. There were 81 names and these were attached to the letter sent to the Board members.

#### BOARD RECEIVES CONSULTANTS SUGGESTIONS

On August 9, the six ranked recommendations of the Ianni group were sent to all Board members by the Ad Hoc committee, which further stated that it had reviewed all names so far suggested, and that many outstanding suggestions were not interested in the position. The committee offered to discuss any candidate with any Board member at any time, but asked that the six names not be released to the press. The committee further stated that its intention was to begin interviewing candidates one at a time, beginning at the top and proceeding down the list, and it invited members to make any suggestions on procedures they might wish.

#### PUBLIC INFORMATION

The list of six names was published in the newspaper in August. On August 16, in a regular, public meeting of the Board of Education, before which any citizen could appear by giving 24 hours written notice, a complete status report was made by the Ad Hoc committee.

#### ACTION BY THE AD HOC COMMITTEE

Of the six names on the list submitted by the Ianni group, two were not interviewed by the Ad Hoc committee on the basis of the information accompanying their names. Although both were outstanding men and met most of the Board's established criteria, one had worked only for a segregated school system and the other had never administered an urban school system. Three candidates were interviewed in their home states and in Washington by the Ad Hoc Committee. The fourth man was unable to meet with the Committee for interviews until October, and as late as September was suggesting another man's name for the position.

A number of local citizens put forward the name of Acting Supt. Benjamin Henley as the summer ended and his qualities became increasingly apparent. The Ad Hoc committee on September 21 wrote to him asking him to clarify his position on the candidacy, and offering to set up an immediate interview. On October 6, Mr. Henley replied in part as follows:

Several members of the Board of Education have asked me whether or not I wish to be considered for the position. To each, I have re-





plied that I did not wish to be considered as a candidate.

My position has not changed. I am grateful for the opportunity presented to me through your letter, but I do not wish to be considered for the superintendency.

On October 4, Dr. Haynes sent a telegram to all Board members urging that, in view of the impending election of the school board, no appointment be made, but asking consideration of Supt. Lessinger of California if an appointment was made. This was the first time this name had been suggested.

#### FINAL ACTION BY THE BOARD

By October 25, two of the candidates interviewed had withdrawn from consideration, either because they were not satisfied with the position offered, or because the committee was not certain to recommend them. On that day, the President of the Board called a special meeting of the Board for October 27 to hear the final report of the Ad Hoc committee and meet formally with the candidate the committee had decided to recommend. At the request of a citizen, Mr. Julius Hobson, the Board agreed to allow the public to submit written questions to Dr. Manning during the Board's conference with him until 11 AM when the Board would reconvene to take "appropriate action" on the Ad Hoc committee's report. Due to the total disruption of the question period, citizens were denied any opportunity to question Dr. Manning, but the Board did reconvene, minus two members, and, after some discussion, he was appointed by a 4-2, later unanimous vote.

#### RELATION OF CITIZEN SUGGESTIONS TO CONSULTANT'S ADVICE

As a final note, it should be stated that, of the six names most carefully considered by the Board of Education, four were originally suggested by citizens and civic groups in the District of Columbia. Dr. Manning, however, was not one of these persons

In developing its selection procedures, the Ad Hoc committee apparently relied in large part, upon a pamphlet, On Selection of a Superintendent of Schools, published by the American Association of School Administrators and the National School Boards Association. This pamphlet makes no reference to involving citizens or groups in the selection process, other than to announce the vacancy publicly so that anyone could suggest names, and to work with news media to keep them "informed on school affairs," generally, and notify them promptly of the Board's final decision, once it has been made. The pamphlet advises that "information should come from the whole board and not from any one individual."

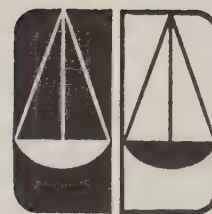
Since most U.S. schools boards are elected rather than appointed, it may be that the pamphlet's assumption that the Board itself is representing the community in the selection process is justified in most communities.

November 2, 1967





# Committee Report



The Lawyers' Committee  
for Civil Rights Under Law

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520 Woodward Building \* 733 Fifteenth Street, N.W. \* Washington, D.C. 20005

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January 1972  
Report # 7

## LAWYERS' COMMITTEE EXPANDS ITS SCHOOL FINANCE PROJECT

The "American way" of financing public schools may be unconstitutional. The California Supreme Court so ruled on August 30, 1971, on the facts of Serrano v. Priest. The record in that case showed that children who live in relatively poor, low tax-base areas are provided educational resources substantially inferior to those in wealthier areas.

The laws that govern the distribution of educational resources in most states are subject to Serrano-type challenges. In almost every state in the Union, there is a wide disparity in the resources of local districts that bears no relationship to local taxing effort, costs or educational needs. The usual state pattern of financing uses the local school district as the basic financing unit. Each unit is responsible for raising over half its school resources through a tax levied on property, thereby tying school finances to local wealth. Where "equalizing" grants are provided by the state, they generally fail to compensate for spiralling school costs and shifting property values; in some states "equalizing" grants actually reinforce disparities between rich and poor districts.

— continued on next page

Lawyers' Committee Co-Chairmen Lloyd N. Cutler and John Doar have announced the appointment of David S. Tatel as Director of the Lawyers' Committee to succeed James Robertson, who will return to private practice.

Tatel is a former executive director of the Chicago Lawyers' Committee and has been affiliated with the Chicago firm of Sidley & Austin. He holds a J.D. from the University of Chicago and has taught at the University of Michigan School of Law. Currently, he is representing eight black college graduates in a suit charging that the Federal Service Entrance Examination is racially and culturally biased.



LAW SUITS CHALLENGE STATE SCHOOL FINANCE SYSTEMS

State	Plaintiff	Defendant	Issue	Outcome
Alabama	Alabama State Board of Education	State of Alabama	Challenge to state school finance system	Dismissed
Alaska	State of Alaska	State of Alaska	Challenge to state school finance system	Dismissed
Arizona	Arizona State Board of Education	State of Arizona	Challenge to state school finance system	Dismissed
Arkansas	Arkansas State Board of Education	State of Arkansas	Challenge to state school finance system	Dismissed
California	California State Board of Education	State of California	Challenge to state school finance system	Dismissed
Colorado	Colorado State Board of Education	State of Colorado	Challenge to state school finance system	Dismissed
Connecticut	Connecticut State Board of Education	State of Connecticut	Challenge to state school finance system	Dismissed
Delaware	Delaware State Board of Education	State of Delaware	Challenge to state school finance system	Dismissed
Florida	Florida State Board of Education	State of Florida	Challenge to state school finance system	Dismissed
Georgia	Georgia State Board of Education	State of Georgia	Challenge to state school finance system	Dismissed
Hawaii	Hawaii State Board of Education	State of Hawaii	Challenge to state school finance system	Dismissed
Idaho	Idaho State Board of Education	State of Idaho	Challenge to state school finance system	Dismissed
Illinois	Illinois State Board of Education	State of Illinois	Challenge to state school finance system	Dismissed
Indiana	Indiana State Board of Education	State of Indiana	Challenge to state school finance system	Dismissed
Iowa	Iowa State Board of Education	State of Iowa	Challenge to state school finance system	Dismissed
Kansas	Kansas State Board of Education	State of Kansas	Challenge to state school finance system	Dismissed
Kentucky	Kentucky State Board of Education	State of Kentucky	Challenge to state school finance system	Dismissed
Louisiana	Louisiana State Board of Education	State of Louisiana	Challenge to state school finance system	Dismissed
Maine	Maine State Board of Education	State of Maine	Challenge to state school finance system	Dismissed
Maryland	Maryland State Board of Education	State of Maryland	Challenge to state school finance system	Dismissed
Massachusetts	Massachusetts State Board of Education	State of Massachusetts	Challenge to state school finance system	Dismissed
Michigan	Michigan State Board of Education	State of Michigan	Challenge to state school finance system	Dismissed
Minnesota	Minnesota State Board of Education	State of Minnesota	Challenge to state school finance system	Dismissed
Mississippi	Mississippi State Board of Education	State of Mississippi	Challenge to state school finance system	Dismissed
Missouri	Missouri State Board of Education	State of Missouri	Challenge to state school finance system	Dismissed
Montana	Montana State Board of Education	State of Montana	Challenge to state school finance system	Dismissed
Nebraska	Nebraska State Board of Education	State of Nebraska	Challenge to state school finance system	Dismissed
Nevada	Nevada State Board of Education	State of Nevada	Challenge to state school finance system	Dismissed
New Hampshire	New Hampshire State Board of Education	State of New Hampshire	Challenge to state school finance system	Dismissed
New Jersey	New Jersey State Board of Education	State of New Jersey	Challenge to state school finance system	Dismissed
New Mexico	New Mexico State Board of Education	State of New Mexico	Challenge to state school finance system	Dismissed
New York	New York State Board of Education	State of New York	Challenge to state school finance system	Dismissed
North Carolina	North Carolina State Board of Education	State of North Carolina	Challenge to state school finance system	Dismissed
North Dakota	North Dakota State Board of Education	State of North Dakota	Challenge to state school finance system	Dismissed
Ohio	Ohio State Board of Education	State of Ohio	Challenge to state school finance system	Dismissed
Oklahoma	Oklahoma State Board of Education	State of Oklahoma	Challenge to state school finance system	Dismissed
Oregon	Oregon State Board of Education	State of Oregon	Challenge to state school finance system	Dismissed
Pennsylvania	Pennsylvania State Board of Education	State of Pennsylvania	Challenge to state school finance system	Dismissed
Rhode Island	Rhode Island State Board of Education	State of Rhode Island	Challenge to state school finance system	Dismissed
South Carolina	South Carolina State Board of Education	State of South Carolina	Challenge to state school finance system	Dismissed
South Dakota	South Dakota State Board of Education	State of South Dakota	Challenge to state school finance system	Dismissed
Tennessee	Tennessee State Board of Education	State of Tennessee	Challenge to state school finance system	Dismissed
Texas	Texas State Board of Education	State of Texas	Challenge to state school finance system	Dismissed
Utah	Utah State Board of Education	State of Utah	Challenge to state school finance system	Dismissed
Vermont	Vermont State Board of Education	State of Vermont	Challenge to state school finance system	Dismissed
Virginia	Virginia State Board of Education	State of Virginia	Challenge to state school finance system	Dismissed
Washington	Washington State Board of Education	State of Washington	Challenge to state school finance system	Dismissed
West Virginia	West Virginia State Board of Education	State of West Virginia	Challenge to state school finance system	Dismissed
Wisconsin	Wisconsin State Board of Education	State of Wisconsin	Challenge to state school finance system	Dismissed
Wyoming	Wyoming State Board of Education	State of Wyoming	Challenge to state school finance system	Dismissed

Additional suits are expected to have been filed in Florida, Georgia, Massachusetts, New Hampshire, New York, and Wisconsin. Plaintiffs from these additional suits have not yet been received by the Lawyers Committee.

The Lawyers Committee for Civil Rights Under Law, 333 Third Avenue, New York, New York 10017, Washington, D. C. 20002.





In New York, Maryland and Massachusetts special commissions are collecting the facts on existing school finance formulae and devising new ones. In over twenty states (see centerfold) law suits have been filed challenging the constitutionality of state aid formulae and reliance on the property tax. A Presidential commission is also analyzing the problem.

The national reform effort in school finance is several years old. The Lawyers' Committee has been actively involved since 1968. Since November 1970, a School Finance Project in the national office has served informally as a clearinghouse and coordinator of school finance suits throughout the country and has:

- provided or arranged for technical assistance in school finance suits in a number of states, including Minnesota, Texas and New Jersey;
- supported amicus curiae briefs in the Serrano case and in two Texas school finance cases, Rodriguez v. San Antonio Independent School District and Guerra v. Smith (see centerfold);
- helped to forge a coalition of private groups at Columbia University to study and litigate school finance reform issues in the State of New York;
- conducted a major school finance litigation conference attended by more than 100 attorneys from throughout the country interested in school finance reform;
- developed a comprehensive set of litigation materials for circulation to attorneys contemplating challenges to state aid formulae;
- at the request of the U. S. Senate Select Committee on Equal Educational Opportunity, provided technical assistance and testified at hearings on finance issues in October 1971; and
- assisted and testified before the President's Commission on School Finance.

In an effort to reduce or eliminate intra-city (as well as intra-state) funding disparities the Lawyers' Committee has also:

- conducted regional Title I conferences designed to inform community groups and parents of disadvantaged children of their rights under the Elementary and Secondary Education Act and under HEW guidelines providing for expenditure "comparability" and parent advisory groups;



- filed a lawsuit in Chicago challenging intra-city funding inequities, and assisted similar lawsuits in other cities; and
- monitored performance under Title I comparability standards.

#### AN EXPANDED EFFORT FOR 1972-73

The Lawyers' Committee will expand its School Finance Project for 1972-1973, with the assistance of grants from The Ford Foundation, The New World Foundation, the Potomac Institute and the National Urban Coalition. The expanded project will include two full-time attorneys working in the national offices in Washington, D. C. The project will continue to serve as a back-up resource for attorneys who are challenging state school financing schemes and, where appropriate, it will also serve directly as counsel to groups seeking legal representation. Among other things, the project will:

- assist with legal tactics and theories, including such questions as: selection of state or federal court; the appropriateness of multi-city lawsuits; individual or public plaintiffs; the elements of proof and the use of expert witnesses; supportive resources (e.g., ACIR, universities, NEA); appropriate forms of relief; etc;
- sponsor or conduct meetings and seminars to enlist more attorneys and legal scholars in directing their skills towards school finance problems and to advance the knowledge of those already involved; and
- prepare model case materials, law journal articles, model legislation and other legal documents and publications in an effort to educate the legal community and the public about the problem and to stimulate well-directed legal action toward reform.

#### SPECIAL ISSUES

The development of a constitutional standard to eliminate disparities between "property-rich" and "property-poor" districts involves a number of difficult sub-issues that will receive special attention from the Lawyers' Committee's project. These include:

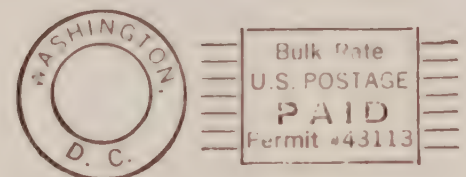
- the shaping of remedies that will benefit central city school districts, taking into consideration "municipal overburden" and the costs of compensatory education for disadvantaged children;
- means of assuring equitable property tax assessment and collection procedures; and
- methods to insure that school finance reform does not result in "equal but separate" school districts.

Lawyers' Committee staff is working on these issues with groups who have traditionally been concerned with one or more of these special issues, such as: the National Urban Coalition on urban school problems; the Public Interest Research Group on property tax reform; and the Center for National Policy Review and the NAACP Legal Defense Fund on issues pertaining to metropolitan desegregation; and the National Committee for Support of Public Schools on Title I and other issues.

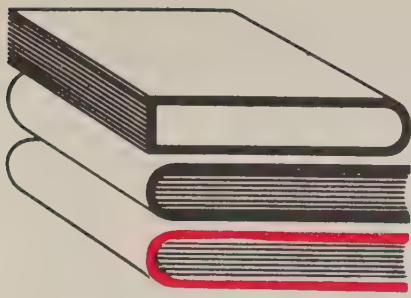
#### FOR FURTHER INFORMATION

Additional information about the Lawyers' Committee's School Finance Project can be obtained from R. Stephen Browning at the address below.  
Telephone: 202/628-7446.

Lawyers' Committee for Civil Rights Under Law  
733 Fifteenth Street, N.W., Suite 520  
Washington, D.C. 20005







DISTRICT OF  
COLUMBIA  
CITIZENS

# BULLETIN BOARD

**FOR BETTER PUBLIC EDUCATION, INC.**

Volume 2, No. 8

95 M Street, S.W., Washington, D.C. 20024, Tel: 484-7030

December, 1971

This issue of the Bulletin Board includes a special report by DCCBPE volunteer Sally Pitofsky on open classrooms in the District's schools. Her report is based on several months of reading, observations of such classrooms and interviews with parents and teachers. Mrs. Pitofsky is a former public school teacher and the mother of two children in the city's public schools.

## OPEN CLASSROOMS: WILL THE PENDULUM SWING TOO FAR?

By Sally Pitofsky

"Open classroom. . . informal education. . . open corridor": these are current American-style tags that refer to innovations in elementary school teaching which have met with notable success in Great Britain.

Based largely on the findings of the Swiss psychologist Jean Piaget about the way children grow and learn, the British Infant School concept appears to be losing something in translation, and has met with a less than enthusiastic reception within Washington's educational establishment.

Last spring, while I was observing "open classrooms" in the District schools, an article in the Washington Evening Star said in part:

"The open classroom or informal education approach, which is gaining support from most of the nation's major school systems, has only a tenuous toehold in the District.

About a dozen teachers in both affluent and low income schools are using the open classroom technique. A number of other teachers are experimenting with a limited informal approach.

In an open classroom. . . instead of set lessons given at specified times to the whole class, learning centers are set up around a  
(OPEN CLASSROOMS, Continued page 5)

## THE 1971 WRIGHT DECISION: COMMENT ON COMPLIANCE

By Louise Malone

On May 25, 1971, the U.S. District Court ordered the D.C. public schools to equalize teacher expenditures in the elementary schools. The effect of the order was to force the schools to end discrimination against some children in the distribution of resources, which the system had in fact, though not so specifically, been ordered to do in 1967.

During the litigation, which was spread over more than a year, the school system did not present to the Court any plan of its own for equalizing school-by-school expenditures; it merely persisted in trying to defend itself. The plaintiffs had asked, as relief, for an equalization of all expenditures within a range of 5% of the city-wide mean. The Court accepted the argument of the schools that some expenditures—overhead, maintenance etc.—may not have a direct relationship to educational benefit to children; but in the absence of a school plan, the Court limited its equalization order to the one expenditure which the system had indicated, by its own policies, has a relationship to helping children learn—expenditures for teachers' salaries, including longevity pay which presumably rewards teacher experience.

### Compliance Options

The schools chose to comply with the order as written, ignoring the invitation by the Court to develop "specific, measurable and educationally justifiable plans" which would "overcome the effects of past discrimination" and which the Court would accept as a substitute for its orders.

At a meeting on June 9, 1971, the Board directed the Superintendent to "prepare alternative plans for compliance with the Court order for Board approval, including a statement regarding estimated cost for consulting, computer, and other services needed for preparation of such plans for



compliance." A study of the report to the Court (Report of October 1, 1971 to the U.S. District Court, as required by the decision) indicates that neither the Superintendent nor the Board considered any plan for compliance other than computerized teacher transfers.

### How Did the Board Comply?

The responsibility for the decisions on compliance must be shared by the Board and the Superintendent, since no division of that responsibility has been made public. Three basic decisions were made: (1) to equalize teacher expenditures per pupil by October 1, 1971 as the Court ordered; (2) to comply solely by transferring teachers without any additional teacher expenditures; and (3) to effect these transfers "objectively," that is, without any evaluation of teaching strengths or weaknesses at any school which could be met by subtraction or addition of particular teaching skills.

In making these decisions, and in choosing the guidelines presented to the computer consultants, the Board demonstrated an unwillingness to make educational decisions, or to demand educational decisions from the administration, which might be challenged on political or administrative grounds. As a result, teacher dollars are distributed more evenly throughout the city, but there may be more educational and morale damage than benefit.

The administration claims with pride, "Less than 300 teachers" were transferred. (Report to the Court, October 1, 1971). Although we accept the argument that more transfers would have been worse, we think that a transfer of 10% of the teaching force is very disruptive. Further, by deciding that the transfers must be "objective" in order to avoid charges of favoritism, the system in effect said to its principals, teachers, and children that all teachers are alike, all are equally effective in any situation, all principals and schools are alike, and all children's needs are interchangeable. We do not accept these basic assumptions, and therefore are convinced that this compliance has been destructive to sound educational programs. See D.C. Citizens *Bulletin Board*, August, 1971 for our proposed compliance plan.

### Complex Decisions Underlying the Transfers

The technically competent and conscientious computer consultants retained by the administration presented the Board with a series of difficult and complicated decisions. Criteria had to be determined and ranked by priority as the bases for the transfers. The Board, hard-pressed for time and unused to the detail and specificity of the decisions to be made, made a series of choices which resulted in their identifying and weighting

three principal factors: teacher experience, teacher tenure in their present building, and teacher travel time.

The Board originally decided that "to the extent consistent with other criteria, the plan selected should attempt to reassign teachers with the greatest experience first." (Report to the Court.) (Because these teachers are the highest paid, this would result in relatively fewer transfers.) However, when the Board subsequently decided to give the heaviest weighting to number of years in the building, the Board put into operation a conflicting factor. Generally, teachers with the longest experience also have the longest tenure in their present building. The result was that the most experienced teachers were the least likely to be transferred.

We do not claim that it would have been less disruptive to move only the most experienced teachers, nor even the most beneficial. We are saying that the decision to comply by transferring teachers on the basis of non-educational factors could not, and did not, result in educational benefits to children.

### The Report to the Court

There has been no report to the public as yet on the transfers and their effect. D.C. Citizens has obtained a copy of the report to the Court. It has limited value for the citizen who is seeking information about a particular school and how it may have been affected by the equalization.

1. Projected and actual enrollments.—The report is referred to as a "plan" since the transfers had to be made before school opened in order to comply by October 1, and therefore had to be based on projected enrollments. The transfers were actually made, however, which means that the "plan" was put into operation. This presented problems at schools for which projections were off by even a few students. More teachers were transferred, or teachers who had been transferred were transferred again, after the count of students was made on October 21. There has been no report of the number of these transfers or of how they were made.

2. Appeals of transfers.—Of the "less than 300 teachers" who were transferred, more than half appealed the assignment.

The report states (on page 4) that there were 150 personal appeals and 5 educational appeals, made by principals, and that "47 personal appeals and two educational appeals" were honored. On page 59, the report says "50 of 127 personal hardship appeals and four of five educational appeals were granted in whole or in part." (There is no explanation for this discrepancy in our copy of the report. It may have been corrected in the copy sent to the Court.) The educational appeals were granted "in part" because the basis established for granting such appeals was the destruction



of an educational program: only the "leader of an innovative program" was to be granted an appeal. (page 58 of the Report.)

Programs which have been planned for a particular school by a principal and teachers often make the real difference in the effectiveness and morale of a school. Teachers trained for open-space designed schools, for example, probably can teach effectively, though less enthusiastically, in a non-open space building. Open classroom teachers are not inter-changeable parts of a machine. The school administration destroys initiative and morale by assigning teachers without regard to such special training. It has used funds to train teachers for a particular setting and then made no use of that training, a gross mis-use of funds. Here again, the system seemed averse to making decisions based on children's educational needs.

3. Assignment of special teachers.—The report states that subject-matter department directors made manual reassignments of special subject teachers (reading, math, music, art etc.) before large-scale transfers were effected "because assignment of special subject teachers requires complex educational judgements in the subject area." (Page 45 of the Report.) It states that "careful attention was paid not merely to the dollar figures each teacher carried but also to the educational needs of the children involved."

There is no evidence in the Report nor in what we have been able to learn of special teacher assignments that in fact any such judgments were made. The Report shows only that *expenditures* for special subject teachers have been evenly distributed by geographic areas in the city in direct relation to the number of children in the schools in each area.

This distribution of dollars may be an improvement over the former pattern which found a school of 600 children west of the Park with 5 special subject teachers, while a school of 1800 in Anacostia had but 2. But a percentage distribution of teacher expenditures, or even of numbers of teachers, does not assure that special subject teachers are assigned in accordance with needs. To do this needs have to be defined school-by-school, and teacher skills matched to them.

For example, the Anacostia schools were allotted increased expenditures for teachers of language arts and reading (as well as other subjects), but lost math and science dollars. Center city schools lost language arts dollars. The Model Schools' dollars for reading teachers were cut deeply but they were given more dollars in language arts and science. We are not told whether the increased dollars represent more teachers or higher-paid teachers, but to merely match percentages does not say to us that anyone decided or even asked if a particular center city school needed or wanted more art or science teachers, or would like to

have kept their language arts teachers, or if the extra math dollars in Anacostia schools were meeting needs of children better than additional dollars in language arts or reading.

Further, the fragmentation of special subject teachers which resulted from the re-distribution, (many teachers are spending as little as 20 minutes a day in large elementary school buildings), is meeting very few "educational needs."

It is obvious that the administration must examine the pattern of staffing the elementary schools, as we suggested in our study, "Financing the D.C. Public Schools."

4. Total Expenditures by Schools.—The total expenditure chart at the end of the Report (Appendix A, Table A-5) raises serious questions about the allocation of Federal funds. The chart shows that some schools are receiving over \$800 per pupil in Title I money, while other Title I schools receive less than \$200. Some of this may be explained by the system's apparently still unsolved school-by-school accounting problems, but no explanation is given. Also without explanation, schools west of the Park are listed as receiving Impact Aid and "other funds." Some of these other funds can undoubtedly be educationally explained in terms of special programs, but some are being used to provide classroom teachers in schools which were left understaffed because of the way in which the equalization was done. This seems to us to be a contradiction of the intent of the Court order.

### What Could Have Been Done

The Board and the administration could have chosen to equalize on the basis of educational considerations. All readily transferable personnel could have been identified by skills: classroom teachers who had requested transfers last spring; special subject teachers; supervisory and other central office instructional personnel who by definition should be master or resource teachers; the new teachers (up to 300) which the Board voted to hire at its August meeting.

These personnel could have been assigned to the low expenditure schools, in consultation with the principals of the individual schools. The assignments could hardly have failed to meet the needs of those schools better than the computer selection based entirely on salary.

At this point, the computer could have done the mathematical figuring of the standing of each school in relation to the newly figured mean. It is probable that some schools would still be above the range allowed by the Court, and some below. The educational needs of those schools could then have been examined. With a plan in hand, indicating the intention to *educationally* boost the low-expenditure schools, the Board would have



had a basis for asking the Court for a specific modification of the order: (1) inclusion of a broader range of variation from the mean, based on educational needs, (2) a later reporting date to allow the relatively few transfers which would be needed to be made only once, on the basis of actual enrollments, and in accordance with the regular personnel and union rules, just as they are any year when enrollments are not exactly as projected.

### What Must Be Done Now

Assuming that the schools are now in compliance, what happens next year? Next fall, a variation of 5% in enrollment (as few as 50 students even in larger schools, or only 10 in smaller schools) particularly if combined with a certain combination of teacher salary increases, would put a school out of compliance. Does the administration plan to select teachers for transfer each year?

We suggest that the Board and the administration must take three types of action:

1) prepare for the schools and the community an evaluative report on this year's compliance:

—how many teachers were asked to transfer in the original plan?

—how many of those teachers resigned? or asked for leave?

—how many were transferred after the October 21 count?

—how many are in grade assignments other than that of their main training or experience? (The computer plan made every effort to avoid such assignments but some have occurred; it is important to know how many.)

—what is the actual distribution of special subject teachers? How many teaching each subject are in each elementary school, by schools?

—how many teachers transferred had received special training? What training? How many of those are using their special training in their new assignment?

—what do transferred teachers report about their new assignments?

—what do principals report about the effect of the transfers on their school?

—what was the total cost of implementing the compliance plan compared to the original estimate?

2) prepare for the Court a request for a wider range of compliance to add more stability to staffing patterns in each school, and to remove the element of panic and uncertainty now in the minds of principals and teachers. They should also request that other educational resources (para-professionals, tutors, teaching materials) be included in the expenditures, again to add flexibility and stability to annual school planning.

3) develop a meaningful form of reporting school-by-school expenditures and statistics, so that the community can readily know the actual distribution of resources, one of the benefits the public had hoped to gain from the Court decision. Such a report is essential if the school community (principal, teachers and parents) is to be involved in determining school needs.

4) establish a plan for staffing the elementary schools which will involve principals, teachers, and parents in the decision-making and be based on the needs of the individual schools. The D.C. Public Schools will not begin to solve their problems until they start to match resources with actual needs. These needs can be known and measured best at the school level, not at the central office level. Principals, with an appropriate staff and parent consultation mechanism, and with professional assistance from appropriate central office personnel, must be given the responsibility to define and select their staff.

The Board has made an important decision in directing the Superintendent to prepare recommendations for development of a differentiated staffing plan. (Board Meeting, June 9, 1971. Also see *D.C. Citizens Bulletin Board*, December, 1970.) One element of differentiated staffing is a change from a teacher pay scale based on longevity and academic courses to pay based on the teacher's role and competency. A pattern of staffing is worked out for each school, related to its defined needs.

The administration has hired consultants to prepare such a plan. However, differentiated staffing is a change which will not be effected over-night. It is a complicated concept, involving many political as well as administrative problems. In addition, of itself it does not assure equalization of resources. It does provide a different way to measure one of the resources—teacher pay. The school administration would be wise to begin now to think in terms of individual school needs, and a mechanism for determining them.

In the meantime, principals and staff need to be reassured that there will not be another computerized transfer of teachers next year; that assignments of all staff will be based on educational factors; that teachers do not need to spend every year in a state of suspended animation, reluctant to develop programs and relationships in one school only to find that they will be arbitrarily sent to another.

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**(OPEN CLASSROOMS, *cont. from page 1*)**

room. Children generally have a 'free choice' in deciding what they want to learn and for what length of time. . .

'The direction of open classrooms is quite compatible with the growth and development of young children, but it is inconsistent with the cognitive stress we are giving to mathematics and reading in the Academic Achievement Program,' said Dr. James T. Guines, the District's associate superintendent for instruction. . . .

Guines said the concept here probably will be largely a phenomenon of middle-class schools."

My observations led me to conclude:

1.) this resistance is based on popular misconceptions of the British methods—perpetrated in part by American writers on educational reform who suggest that left to themselves children will learn reading, writing, arithmetic, and what-have-you as naturally as they learn to walk and talk, and:

2.) however we label some of the new teaching methods I observed, they may prove irresistible to those who want to teach children not only basic skills, but also how to learn and think for themselves.

There is no pat definition or formula for an open classroom because it evolves from a particular teacher's individual style and her relationship with the individuals in her class. Yet there are certain similarities among the classrooms I visited.

The initial impression is of a busy, colorful workshop. Movable desks and tables are arranged to accommodate large and small group projects. Attractive learning centers—where all the available resources for a particular project (science, reading, math, art, sewing, bookmaking, history, etc.) are concentrated—are located invitingly around the room.

Instead of limiting her students to one basic textbook in science, for example, the teacher "opens" or broadens the environment to include every interesting item—from rock and leaf collections to a scrapbook record of the Apollo flights—that motivate children to increased awareness and understanding of the physical world. Often their investigations take them out of the classroom.

There is always a library corner, usually consisting of a rug remnant partially surrounded by open shelves that display books on a wide variety of topics and on varying levels of reading comprehension.

Some children work on the floor, undisturbed

by the bustling activity that surrounds them: in a combination 5th-6th grade class a boy sculpts a head of prehistoric Solo man that bears an excellent likeness to the one in the encyclopedia lying open beside him. In another room, a group of second graders draw the outline of a classmate on brown paper, measure the silhouette in inches, and then convert the measurement to feet. At the same time, other pupils in this room are playing games designed to increase proficiency in math, phonics, reading, concentration or memory.

The teacher's desk is not immediately conspicuous. It serves mainly as storage for supplies since the teacher moves around too much to use it otherwise. Unlike the traditional teacher who dispenses wisdom from a strategic front-and-center location, this teacher is more of a director, seizing the right moment to introduce new ideas and materials, encouraging the exchange of ideas among the children.

In the 5th-6th grade class, through group discussions, and with the teacher's guidance, the pupils drew up a working outline for social studies from prehistoric man to the current teen-age drug problem. The teacher said she could have made arbitrary assignments covering the same areas but the children would have missed the added values of learning to organize material and set goals.

During the period I was observing these classrooms, I also attended several parent-teacher forums on informal education. Throughout the city, parents are asking the same questions:

**1.) How can a teacher maintain discipline if children are freely moving around as they work on individual projects?"**

Some of the teachers I visited operate—or have in the past operated—in a not too friendly atmosphere viewed with suspicion by principals and fellow teachers who see relaxed behavior codes as a threat to school discipline.

One of the most surprising features of the open classrooms I saw was the absence of behavior problems. (And these rooms included one class with enrollment on a voluntary basis, which consisted in part of children viewed by other teachers as "problems.")

Occasionally a teacher had to remind someone that he was disregarding the rule that the class had agreed on—to talk in tones that would not disturb others—but in general, every child was actively involved in some project and, therefore, had no reason to call attention to himself by disruptive behavior. It seemed to me that the noise level in the classes was rarely distracting, and did not vary with the teacher's movements. As I watched the children playing learning games, making flashlights, or reading to each other, their comments and exchange of information seemed natural and productive.



2.) "Doesn't the open classroom work best for highly motivated or middle-class students"?

*Item:* Four boys, without supervision, are playing a game the teacher has devised called "Can You Go To The Head of the Class?" A piece of cardboard is divided into spaces numbered one to one-hundred and arranged on grade levels 1-10. After each rolls a pair of dice, he can move his marker the indicated number of spaces if he can answer correctly the next arithmetic problem that comes up in a pack of index cards—and explain satisfactorily his answer to the others. There is lively discussion, a quick consultation with the teacher, an occasional grumble ("He gets all the easy ones; I get all the take-aways"), and a lot of arithmetic is painlessly absorbed.

*Item:* Four children are working individually on sets of arithmetic problems; as they finish, they check their answers by the answer sheet. One boy says to another who is obviously having trouble: "Man, that's easy—any kindergartener knows that!" There is talk about adding and subtracting and the difference between them, and suddenly the boy (who is a repeater) sees the light. Bouyed by success and his friend's revised opinion ("Man, you're great!"), he refuses to leave the table for recess and sits there until he correctly finishes every problem.

*Item:* In the library corner, a second-grade girl is "hearing" a story about a dog named Tip. Her job is to correct his mis-pronunciations and write those words on index cards for later review. She does so with just the right amount of grace and authority.

These pupils, who performed as highly motivated middle-class pupils are expected to do, were, in fact, the 25 members of an inner-city, second-grade class. Half were from families on welfare; several came from broken homes.

3.) "Are the open-classroom techniques inconsistent with the Academic Achievement Program"?

This concern stems from the misconception that the open classroom is a free-for-all where children decide "what they want to learn and for what length of time."

This is not an accurate description of the British Infant Schools where these methods have been equally successful in poor and middle-class neighborhoods.

Although they are not structured in the traditional ways, they *are* tightly structured in terms of individual needs and abilities. The teacher initially establishes a relationship with each child by conferring with parents or guardians, not only to learn more about his strengths and weaknesses but also to explain her aims and enlist their

cooperation. She determines, through various diagnostic techniques, the child's skills and knowledge in specific areas and observes his work habits to find out which children require more supervision than others. Throughout, she keeps detailed records of each child's progress.

The inner-city teacher whose classroom I have described above sees no inconsistency between her methods and the goals of the Academic Achievement Program. Her goal, as she sees it, is to "provide children with interesting things that will enable them to go where I want them to go."

She is willing to prepare them for whatever tests her administrators deem necessary; but she hopes, while she's at it, to give each child much more—a sense of pride and self respect, a desire to learn all he can, the tools to help him develop the independence and judgement he will need to make intelligent choices.

She organizes her teaching in these ways:

1. Small group instruction where she gathers children on no more than three different ability levels to teach specific skills.
2. Large group instruction and drill for work that all can grasp together.
3. Individual conferences—one every two days for each child, in which the teacher and pupil can discuss where he is and where he goes from there.

While the teacher confers with one individual, the other children work independently. (She of course is always available for consultation.) She has arranged several activities for her pupils: Games, Bookmaking, Reading Skills, Art, Math, Library Center, Listening Center (using earphones to hear a recorded story while following the written text) and Observer. Only a handful of children had signed up for the role of Observer after the first two months of school, and even they could not resist getting involved halfway through the work period. On the day that I observed the class, an apprentice teacher from Federal City College worked with individuals on specific problems.

Within each learning center, the teacher has organized the material and prepared guidelines so that the child knows where to begin and how to follow through on his project. It soon became apparent that in this set-up, the child who is not participating stands out like a sore thumb—signalling his need for special attention. On the other hand, in a rigid, traditional classroom, a child can daydream for an entire semester with only a series of test failures to indicate his presence. If a child ignores certain areas, the teacher discusses this with him in conference, and guides him into neglected learning centers.

4.) "Doesn't all this require an exceptional teacher"?

Aside from knowing her subject matter, she must be constantly attuned to the needs and inter-



ests of her students so that she can seize the most advantageous moments to introduce new learning experiences. She must be industrious enough to ferret out the filmstrip viewer or phonograph collecting dust on custodial shelves or the magazines her friends and relatives would have discarded. When there are no funds to buy learning games, she must be imaginative enough to devise her own.

Obviously, the methods of the open classroom and the demands they make on the teacher are not for everyone. In the hands of a less than skillful teacher, a flexible classroom could lead to chaos, and even the most ardent advocates of informal education agree that some teachers are highly effective with traditional techniques. However, more and more teachers recognize the futility of trying to teach the same lesson at the same time to 20 or 30 children of widely varying abilities and backgrounds.

This past summer, the Innovation Team, in cooperation with Beauvoir elementary school, sponsored, at Beauvoir, its second annual training institute for teachers interested in learning more about informal education. Funded by private foundations and a federal grant to the District's public schools, the workshop this year accommodated approximately 70 participants—a mixed group of new and veteran teachers from public and private schools in the Washington area. Few—especially among the more experienced teachers—expect to change their styles overnight. One teacher told me that she introduces new arrangements and methods one by one as she feels comfortable with them. With each success, she finds teaching so much more rewarding that she could never revert to the formulas she learned in teachers' college.

There is one situation that raises questions rather than answers them. The open classroom in America today comes in two different styles. One is the highly structured type I have described. The other, the one that most people seem to associate with the term "open classroom" is viewed by many as a replay of the ill-fated "progressive education" of the 1930's.

A 4th-5th-6th grade combination in one of the District's more affluent neighborhoods is taught by a teacher who has cultivated a warm relationship based on mutual respect with her pupils. The students are well-behaved and courteous to each other; the atmosphere is reminiscent of a cozy scout den. This teacher believes that children are naturally curious and that if the emotional blocks that inhibit learning are overcome, the academics will come as a matter of course. She does not present the three R's as the only important aspects of learning, she stresses art and handicrafts as well. She gives no tests and discourages each child from measuring his expertise against that of

another. She considers as her primary goals: to help each child develop his own intellectual potential, to gain the self confidence he needs to withstand the complex pressures on children today, and to instill in him a genuine concern for others.

A random survey of parents of her pupils revealed a widespread satisfaction with the social and emotional growth they had observed in their children during the year. They liked to go to school and often remained past school hours. They took personal pride in such class projects as the play they wrote and produced and in the fact that the teacher sat with the audience during the performance.

This teacher and others who share her philosophy have made valuable contributions to our search for alternatives to the repressive techniques that dull the appetites for learning in far too many of our classrooms. But we do our children a grave disservice if we suggest that learning is all fun. It is more often hard lonely work that requires exact tools. To help children acquire these tools—the ability to analyze, abstract, reason, and carry out research as well as the basic skills and a knowledge of man's history—is the primary challenge of our schools.

The open classroom will not cure all our educational ills; to expect that it will is to invite failure. The progress it has taken the British over 20 years to achieve will not be ours overnight. Success will be directly related to the dedication and talents of individual teachers. At the present time, with the limited budgets that keep our schools overcrowded, understaffed, and poorly equipped, we can expect no more than a handful of teachers to make the necessary commitments that informal education demands.

Ironically enough, the unwillingness of Washington's educational establishment to embrace the open classroom without reservation may prove all to its good. To try to legislate this kind of teaching will prove disastrous. However there can be no doubt that the skillful teacher who is willing to extend herself in this direction deserves, at the very least, the "open" minds of parents, administrators, and other teachers and—more hopefully—their active encouragement and support.

## ....WHY NOT....?

WHY NOT. . ." will appear from time to time in the Bulletin Board—it will be devoted to some random thoughts about policies or programs or ideas that we think might be useful to the D.C. public school system.

Vandalism such as the recent case at Draper is a tragic event. . .at any time, but especially so when a school has to be closed because of this act. Instead of closing the school, WHY NOT involve the pupils in cleaning up the mess? Several



things might be accomplished by this: (1) having to help remove the debris and put things back together will reinforce the pupils' sense of "belonging to their school;" (2) they will quickly see that someone has to pay for anti-social behavior; and (3) that much hard work might make them put a little pressure on their peers to keep this sort of thing from happening again. As matters stand now, the only lesson the Draper pupils learned is that if enough damage can be done, the children get a surprise holiday and the teachers clean up the mess.

*Editor's note: The following paragraph appeared in the Nov. 15, 1971 issue of the D.C. Gazette. In reprinting editor Sam Smith's words, we add a hearty AMEN.*

"Hugh Scott had better start producing or all the friendly words from recent School Board candidates are going to evaporate. The refusal of progressive candidates to criticize Scott was based on two considerations: (1) not wanting to give ammunition to Anita Allen who was going after Scott, and (2) not wanting to precipitate another crisis over the school superintendency that would discourage a worthy successor from applying for the job. Still, Scott has been a disappointment to many and he will be under new pressure to shape up."

## WHAT'S GOING ON HERE

Because of the elections and the school system's latest efforts to implement court orders, DCCBPE officers, staff and volunteers have been busy with public appearances and radio and television interviews. President *William H. Thomas* and executive committee member *Carmen-Lydia Felices* and staff member *Mary Hunter* spoke to civic groups and on radio about the issues in the election and the urgent need for citizens to vote. Mary also talked to the Junior League about education in Washington. Volunteer *Susan Crowley* arranged for spot announcements on radio and television on the school board election.

Staff members *Louise Malone* and *Mary Broad* have been interviewed and consulted frequently about their report on the Wright decision, published in the August newsletter, and their fiscal study of the public schools. Louise also served as a consultant on school finances at a day-long workshop sponsored by the Metropolitan Ecumenical Training Council.

*Mary Broad* is spending the major portion of her time these days as a program development specialist, supervising the on-going evaluation of many aspects of the Teacher Corps-Portal Schools program. The program is an effort by the Teacher Corps to use existing schools to train teachers to

work in inner-city schools, with the emphasis on goal-oriented individualized instruction. Under the terms of a contract between the D.C. public schools and DCCBPE, Mary's job is evaluate the impact of the Portal Schools on the local school system, the local teacher education institutions, and on the students and community.

## DCCBPE TESTIMONY CALLS FOR MORE POWER FOR DC SCHOOLS

Mrs. Gilbert A. Harrison, DCCBPE executive director said that "Congress should allow the public school system more authority and flexibility in decision making," in a recent statement before the Nelsen Commission.

The commission is charged with studying the organization and efficiency of the District of Columbia government.

Pointing out that good personnel management and responsible decision making cannot be required of the Board of Education and the school administration if the decisions can be countermanded by others, Mrs. Harrison said that Congress and/or the City Council should only have the authority to set lump sum budgets. She said the Board of Education should decide how the money will be spent, and the Council should not be able to tinker with teachers' salaries and positions, nor with programs.

The DCCBPE testimony also suggested that the school board should have its own legal staff since the Corporation Counsel's office is not qualified to deal with school problems, and cannot become specialized in them.

"Like many other bureaucracies," Mrs. Harrison said, "the school system is highly unresponsive to its constituency." She called for decentralization of administrative services in order to allow more flexibility in assessing and responding to the needs of individual schools and children.

"The public has a right both to know what is going on in the Board of Education and to be heard by it," said Mrs. Harrison. In the past this was accomplished by providing for public hearings before each board meeting, and later by scheduling monthly public meetings by the whole board or in wards. This year, she said, there is no provision for public hearings except as called by the board.

Finally, DCCBPE asked the Commission to make public its specific recommendations and then hold public hearings on them. Hearings in executive session, she concluded "May make things easier and more orderly. . .but contribute nothing to the essential public dialogue that should accompany such proceedings."



MAY DAY! MAY DAY! MAY DAY! MAY DAY! MAY DAY!

## SCHOOL BOYCOTT---STAY OUT OF SCHOOL

MAY 1, 1967

"May Day"---the international distress signal for ships in trouble---is a cry for help known around the world. It is a cry for help now being raised in behalf of thousands of children trapped in the deteriorating public schools of the District of Columbia. It is a cry of outrage at a school system that drops out more students than it graduates. It is a call to act---against a school system that cheats children by the thousands of the basic tools for survival and life in the 20<sup>th</sup> century: reading, writing and arithmetic.

Washington children are forced by law into compulsory school attendance through their sixteenth birthdays. Ten years later, they emerge by the thousands without the only thing they came for---quality education. For these oppressed children, District of Columbia public schools don't educate. They incarcerate.

Abandoned and cheated by a school administration that failed to live up to its end of the bargain, the schools' dropouts (18,000 in a recent five-year period) get a quick education about unemployment. Jobs are available---to those who can read, write and figure, and have a high school diploma to prove it. Back in their old classrooms are their younger brothers and sisters doing their "time," in line to become a new set of victims of this city's crime against its children. And in their homes, parents---who once had dreamed of a better life for their children.

### A History of Decay

Soon after the D.C. schools were desegregated by court order, Dr. Carl F. Hansen was appointed Superintendent of Schools, a post he has held for ten years. Under his leadership, the D.C. school system has sunk to being one of the nation's worst. Bitterly attacked by a growing number of parents, students and civic leaders, school officials have coldly ignored their complaints, or appointed committee after committee to "advise" them. In a final gesture of contempt for the overwhelming opposition of the community against the reappointment of Dr. Hansen to a fourth term, the Board of Education reappointed him last March by a 5-4 vote.

For black children, all of this has special meaning. Although their schools were woefully inferior under the old segregated system, dedicated teachers taught black children not only to read and write but to prepare for college. Thousands of them holding good jobs here and elsewhere can attest to this.

### The Track System

Following the court-ordered desegregation, Dr. Hansen designed, implemented---and even wrote a book about---an ingenious new form of segregation: the infamous track system. Under this plan, Washington school children were separated on the basis of being "slow" or "fast". Slow students were placed in the general and basic tracks, fast students in the regular and honors tracks---the only tracks that prepare students for college. According to Dr. Hansen, slow students do better apart from fast students, while fast students won't be held back by slower classmates.

It soon became evident that the top two tracks---leading to college---were primarily for white students out of the old Division I segregated schools. Division II's black students landed primarily in the lowest two tracks---leading to unemployment. Dr. Hansen testified in court that white Division I students were better prepared at the time of desegregation than the black Division II students. Few black students, apparently, could "qualify" for the top two tracks.

It is important to note that under the old Division I-II system, Dr. Hansen had been for many years Assistant Superintendent in charge of curriculum---for BOTH divisions. That is, he designed and administered the old curriculum for these same black children who could not qualify for the top, college-preparatory tracks under his new system.

Dr. Hansen's track system has been called everything from "dictatorial and oppressive" to "programmed retardation" by its critics. Dr. Kenneth Clark, noted New York black professor of psychology, denounced it as "inhuman". Under it, dropout rates soared; increasing numbers of students have fallen one, two and three years behind in reading.



School enrollment is now 92 per cent black, 55 per cent from the lowest income neighborhoods. For the poor, black children who now constitute Dr. Hansen's major responsibility, some statistics are revealing. (\*Based on testimony by Dr. Hansen and other school officials presented in court during Julius Hobson's lawsuit against the D.C. schools.)

#### Track System

- Developed by Dr. Hansen one year after desegregation and after numerous complaints about integration by white parents to the Board of Education.
- During that year, special city-wide testing of all students took place for the first time. Before then, only Division I white students were regularly tested. Test scores for Division II black children were noticeably lower, Dr. Hansen testified. He named the test results plus desegregation as reasons for instituting the track system. No study was made of the track system before its adoption by the Board of Education. None has been made since. Until 1965, Dr. Hansen never revealed to the Board of Education mounting criticism of the track system by other big city school systems.
- In 1963-64, 82 per cent of predominantly black, poor Dunbar Senior High School were in basic and general tracks---leading to no college. There was no honors track. 94 per cent of predominantly white, rich Wilson Senior High School students were in honors and regular tracks---leading to college. There was no basic track.
- In 1965, crash testing of basic track students who had been placed there without required individual psychological tests revealed that 75 per cent did not belong there. Many students in the basic track have not been tested for five or six years.
- In 1965-66, 84 per cent of the black students attended schools without honors tracks.
- The track system is inflexible. Once placed in a track, a child is doomed there.
- New York City is the only other school system with a similar grouping system, and it is limited to certain schools only.

#### Tests

- Unjust tests, based on the test scores of white, middle-income children across the nation, are used to measure poor, black children. They are placed in a track on the basis of their scores on such tests.
- Asked which smells sweeter---a bright red rose or a potato cooking on the stove---a poor, black first grader replied, "the potato". He was marked "wrong". Such tests are like yardsticks, designed to make him look short.

#### Expenditures

- More money is spent per year on predominantly white students in high-income neighborhoods than on predominantly black students in low-income neighborhoods.
- In 1964-65, Dr. Hansen spent \$216 per child in one poor, black elementary school and \$649 per child in a rich, white school.
- On 56 per cent of the poor, black elementary schools, he spent less than the average per pupil cost of \$295. On 84 per cent of the rich, white elementary schools, he spent more.

#### Books and Supplies

- No predominantly black school ever has had sufficient textbooks, work books and other needed materials.
- Many poor, black schools supply ancient textbooks discarded by white, rich schools in Northwest Washington.
- When they do receive new textbooks, poor, black children usually read only about white, middle-income children whose lives bear no resemblance to their own. Textbooks describing the lives of poor, black children are available and used in the big city school systems. Dr. Hansen has deprived Washington children of these.

#### Teachers

- Poor, black elementary school students attend overcrowded classes with more than 30 students per teacher. White elementary school students attend classes of less than 30 per teacher.
- Dr. Hansen pays higher salaries to permanent teachers whom he considers more experienced. He assigns them more often to predominantly white, rich schools.
- Temporary teachers receive half the salary of the top, permanent teachers. Dr. Hansen assigns the majority of them in poor, black schools. The poorer and blacker the neighborhood, the higher percentage of temporary teachers.

#### Punishment

- A Hine Junior High School student testified in March before the Board of Education to whippings and brutality by teachers. He brought with him a well-worn wooden paddle kept in his classroom. Official policy prohibits physical punishment.



U. S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE  
U. S. DEPARTMENT OF LABOR  
NATIONAL SCIENCE FOUNDATION

FOR RELEASE IN A.M. PAPERS  
Friday, September 22, 1967

HEW-R95

Negro college students are severely handicapped by inadequate finances, discrimination, and poor schooling from going on to postgraduate training, according to a "Special Report on Graduates of Predominantly Negro Colleges," written by Father Joseph H. Fichter of Harvard University. The report also shows that Negro students are far less likely than white students to be assured of a definite job right after graduation, even though they make their career plans early and are strongly committed to these at graduation.

The 260-page report, based on a study conducted by the National Opinion Research Center under joint sponsorship of the National Institutes of Health, the Department of Labor, and the National Science Foundation, discusses in depth the background, training, and future plans of 1964 graduates of predominantly Negro colleges in the United States, and the place of this group in filling the Nation's manpower needs.

The predominantly Negro colleges of this country, the report reveals, provide opportunities for many young people from low-income and rural families to get a higher education and to acquire the training essential to qualify for careers in education, medicine, science, and other fields.

According to Surgeon General William H. Stewart, "The findings clearly demonstrate the potential for more effective utilization of college-trained Negroes in health services and research. For the Public Health Service,

(More)





these findings illuminate a special opportunity for better utilization of the Nation's manpower resources to meet the mounting expectations of the American people for health services."

The findings document the specific barriers which the Negro must surmount to reach and to complete college and illustrate the opportunities for improving utilization of the Nation's manpower resources. Among the barriers highlighted in this far-ranging pioneering study are:

- . Negro students are delayed in starting college and delayed in getting through college. Lack of financial resources is their principal deterrent to graduate education and further professional training. More than half of all graduates coming out of Negro colleges say they cannot go on to graduate or professional schools because they cannot afford it. Their relative poverty also keeps them from preparing for certain occupations in which American manpower needs are greatest.
- . Low family income, poorly educated parents, and broken homes are among the early barriers which Negro youths must first overcome before obtaining a college education. In fact, about two-thirds of the families of Negro college graduates have incomes of less than \$5,000 a year. "It seems remarkable," Father Fichter comments, "that the majority of Negro college graduates come from such a low income stratum, while the parallel economic class among whites produces so few college graduates."
- . More Negro women go to college than do Negro men and a higher proportion of Negro women had specific commitments for jobs after graduation.

(More)





- . Compounding these economic and social difficulties are the students' high school experiences which involve segregated unequal schooling, low academic standards, and an inadequate pre-college curriculum, with an especially serious neglect of foreign languages. Only about one-half of Negro college graduates were able to take college preparatory courses in high school.
- . Seven-tenths of the Negro men and over-one-third of the Negro women who reported an interest in careers in health fields said they did not pursue further study because of inadequate finances. Furthermore, many female graduates felt unable, because of poverty, to train to be social workers. More than one-fourth of those who cited financial obstacles felt that less than \$1,000 would enable them to go to graduate school.
- . The study reveals that Negroes believe that racial barriers as well as financial ones prevent them from selecting the careers of their choice. For example, Negroes felt there was discrimination against them in the world of business, with no opportunity for advancement to executive and administrative positions. In spite of these reservations, however, the majority of Negro college graduates think that changes are occurring for the better in all occupational categories.

Despite these barriers in 1964, the Negro students were optimistic in expecting improvements in job opportunities especially in Northern cities, although not in the South.

(More)





The Negro male students expected their most likely employment to be as teachers at the elementary and secondary school levels. Most white male students expect to work in business and industry. The majority of both Negro and white female students expect to enter teaching.

The study also illuminates differences in expectations and aspirations between Negro and white women: more than twice as many Negro women want to combine marriage, family, and a career, and many actually expect to do so. The southern white college women expected and wanted to be housewives primarily, or to work only before their children were born. Furthermore, more Negro women than Negro men get a Bachelor's degree, the reverse of the situation among whites.

In answer to the study's queries, the Negro students noted that they needed the same personal qualities as the whites -- such as intelligence and hard work -- for success. College graduates of both races rank highest the human and service values of a job -- the opportunity to be helpful and useful to others and to work with people. However, proportionately more Negroes than whites consider these values to be very important. The Negro students also feel that moderate but steady progress is important in a job. The white students are more willing to take a chance on the future and do not feel so great a need for job security as Negroes do, according to the report.

(More)





Concerning future careers, the self-confidence expressed by the Negro in his ability was higher than that of the white. While less than half of the Negro college seniors had jobs waiting for them, a higher proportion of Negro women had specific commitments for jobs after graduation.

Many of the implications of Father Fichter's study are expected to figure heavily in government consideration of education and manpower policies. The study points up some significant deficiencies in the current education of Negroes: (1) poor and insufficient educational preparation at the primary and high school levels -- in many cases the unavailability of college preparatory programs for Negroes in high school; (2) a shortage of competent counseling to guide Negroes (as well as whites) in their choice of careers and in planning their education and training; many Negroes are simply not aware of the range of career possibilities open to them or of the requirements for preparation; (3) the lack of post-graduate opportunities for Negroes in the predominantly Negro institutions -- most are 4-year institutions and, if there is a graduate program, it is usually in education; (4) the critical lack of financial support for graduate and professional education.

Copies of "Special Report on Graduates of Predominantly Negro Colleges -- Class of 1964" (PHS Publication No. 1571) are available at \$.75 per copy from the Superintendent of Documents, Government Printing Office, Washington, D. C. 20402.

# # #





GET IN STEP FOR

FREEDOM NOW!



BOYCOTT MARCH 16<sup>th</sup>

FOR ACADEMIC EXCELLENCE

THROUGH INTEGRATED SCHOOLS





# WHY WE BOYCOTT FOR QUALITY EDUCATION

*Does your child or you ever see BLACK faces in his readers or textbooks?*

**NO! WHY?**

*Is your child taught about the FANTASTIC role NEGROES played in American History?*

**NO! WHY?**

*Why is it that the Negro child is being KEPT IGNORANT of his role in American history and culture? TO MAKE HIM FEEL INFERIOR!*

**WE'LL BOYCOTT TO PUT AN END TO IT!**

*Why is it that there are less than 1400 Negro students attending the four free city colleges, (Hunter, Queens, Brooklyn and C. C. N. Y.) out of a total of more than 37,000? BECAUSE OF THE INFERIOR EDUCATION OUR CHILDREN ARE GETTING IN SCHOOL!*

**WE'LL BOYCOTT TO PUT AN END TO IT!**

*Why is it that out of 840 school principals in New York City School System there is only ONE NEGRO PRINCIPAL? AND NO PUERTO RICANS?*

\*\*\*\*\*

\*\*\*\*\*

**WE DEMAND THAT NEGROES BE TAUGHT THEIR HISTORY AND CULTURE IN SCHOOL NOW!! \*\*\* WE DEMAND MORE NEGRO AND PUERTO RICAN PRINCIPALS NOW!! \*\*\* THE TIME HAS COME TO END THE INFERIOR EDUCATION OUR CHILDREN ARE GETTING IN OUR INFERIOR SCHOOLS!**

**NOW!!**

**WE'LL BOYCOTT TO END IT NOW!**

\*\*\*\*\*

\*\*\*\*\*

# JOIN US! JOIN US NOW

**NO RESPONSIBLE PERSON OR LEADER CAN BE OPPOSED TO THESE DEMANDS UNLESS HE IS A FIELD HAND FOR THE PLANTATION BOSSES AT CITY HALL AND THE BOARD OF EDUCATION -----**

## MARCH 16 BOYCOTT.

**Call us at:**

<b>MANHATTAN:</b>	Harlem Parents Committee
<b>BRONX:</b>	Congress of Racial Equality
<b>BROOKLYN:</b>	Parents Workshop for Equality
	Congress of Racial Equality
<b>QUEENS:</b>	Congress of Racial Equality
	Astoria Parents Committee

AU 1-6333, AU 1-7778
LU 9-8409
ST 9-8861, ST 9-7050
UL 7-9200
FA 2-8549
BE 3-7990, RA 1-6855





FOR IMMEDIATE RELEASE

MONDAY, APRIL 22, 1968 11 A.M.

To: The City Desk, The Education Editor  
From: The ad hoc Committee For Education  
Preston R. Wilcox, Chairman

ABILITY GROUPING SYSTEM IN CITY PUBLIC SCHOOLS CITED AS ILLEGAL & DISCRIMINATORY

CONFERENCE AT I.S. 201 PLANNED

While the endless debate over several plans for decentralization goes on, the single most important issue which clearly defines substandard education, inferior curriculum, segregation, incapable teachers, over-crowding, low achievement, dropouts, General Diplomas, low vocational aspirations, no college, etc. has been virtually ignored.

No decentralization or community control plan can be meaningful without consideration of this issue.

Few, if any parents in the New York City school system, are aware that the 'Tracking' or 'Ability Grouping' system which controls the educational destinies of their children, has been ruled illegal and discriminatory in the Washington D.C. public schools.

The ad hoc Committee for Education is sponsoring a conference with Mr. Julius Hobson as principal speaker. Mr. Hobson was the plaintiff in the J. Skelly Wright Decision (Washington D.C. June 19, 1967, Civil Action No. 82-66) which ruled that the 'Track System' worked to the detriment of black and poor students, and by inference, gave white students a distorted concept of themselves.

The panel will feature Mr. William Kunstler, Counsel for Mr. Hobson; Mr. Isaiah Robinson, President, Harlem Parents Committee and Chairman of the Board, Harlem Commonwealth Council; Mrs. Ellen Lurie, Training Director, United Bronx Parents; Mr. George Scurlock, Students Afro-American Society, Columbia University; Mr. Clyde Ford, Afro-American Students, Stuyvesant High School. Mr. David Spencer, Chairman, Governing Board, I.S. 201 Complex, will be moderator.

The meeting will take place on Saturday, May 4, 1968, from 2:00 to 6:00 P.M. in the auditorium of I.S. 201, 2005 Madison Ave. (corner 127 St.) New York City.

The public is invited.

ORGANIZATIONS CO-SPONSORING:

Afro-American Teachers Association	United Bronx Parents
Architects Renewal Committee of Harlem	Ocean Hill Brownsville Governing Board
Citywide Coalition for Community Control of Public Schools	Scholarship Education & Defense Fund for Racial Equality
EQUAL	Students Afro-American Society, of Columbia University
Harlem Parents Committee	Two Bridges Parent Development Program
I.S. 201 Governing Board Complex	
Liberty House	
Teachers for Decentralization	
The West Side Committee for Decentralization	

INDIVIDUAL SPONSORS

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Glossary: Tracking: A method of placement on the basis of standardized tests.

Ability Grouping: An attempt to assess, rather than to place.

For information: Nancy Mamis: SU 7-5314 724-1274  
Sema Salit : EN 2-7379 799-1621





COMMITTEE FOR EDUCATION

AN INVITATION TO ALL:

I. S. 201  
2005 Madison Avenue  
New York, N. Y.

Saturday, May 4, 1968

2:00 to 6:00 P. M.

TRACKING

ANOTHER EDUCATIONAL BETRAYAL

The track system ... amounts to an unlawful discrimination against those students whose educational opportunities are being limited on the erroneous assumption that they are capable of accepting "no more" p. 176

Hobson vs. Hansen  
Civil Action No. 86-66

Principal Speaker: Mr. Julius Hobson, Plaintiff  
Hobson vs. Hansen

Panel: Mr. William Kunstler, Counsel for Mr. Hobson

Professor Preston Wilcox, Staff Associate  
The Education Affiliate, Bedford-Stuyvesant  
Development and Services Corporation

Mrs. Ellen Lurie, Training Director, United Bronx Parents

Two students

"ONE OF THE MOST CRUCIAL LEGAL DECISIONS AFFECTING EDUCATION EVER MADE IN THIS COUNTRY"

Hobson vs. Hansen  
Center Forum, Morton Inger-July 1967

This ruling of the court extended the desegregation doctrine to include de facto (resulting from unitentional administrative practices) segregation. It further prohibited substandard and therefore discriminatory education of the poor, regardless of race.

The decision abolished the controversial TRACK SYSTEM (a rigid form of "ability" grouping based on inappropriate standardized tests) which had been used, and IS BEING USED IN N.Y.C. NOW. TO

1. maintain color lines
2. stifle effectively high vocational aspirations
3. support the 'environmentalist' theories currently in vogue with teachers, supervisors and some theorists, that "low track" students who do not achieve up to national norms are the "victims" of "culturally disadvantaged homes".
4. disguise the fact that most children are simply the victims of inadequate teaching skills.

Organizations Co-Sponsoring -

Afro-American Students Assoc., Columbia University-Afro-American Teachers Assoc.-Citywide Committee for Community Control-Equal Harlem Parents Committee-I.S.201 Governing Board-Ocean Hill Brownsville Governing Board-Teachers for Decentralization United Bronx Parents-West Side Committee for Decentralization

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Ad Hoc Committee for Education

Guillermo Alonso, Dorothy Arfer, Joel Fredrickson, Berlin Kelly, Nancy Mamis, Willene Murphy, Seymour Roberts, Sema Salit, Nazy Shielos, David Spencer, Preston Wilcox



# UNA INVITACION AL PUBLICO

## COMITE POR EDUCACION

I.S. 201  
2005 Madison Avenue  
New York, N. Y.

Sabado 4 de mayo de 1968

de 2:00 a 6:00 de la tarde

### TRACKING

### OTRA FALLA EDUCACIONAL

"El sistema de Track ... es en efecto, la discriminacion ilegal en contra de aquellos estudiantes cuyas oportunidades educacionales estan siendo limitadas por la suposicion erronea de que estos estudiantes, no estan capacitados para ensenanza maxima."

P. 176, Hobson vs. Hansen  
Accion Civil No. 86-66

Orador Principal: Sr. Julius Hobson, Plaintiff

Panel: Sr. William Kunstler, Abogado de el Sr. Hobson  
Sra. Ellen Lurie, Directora de Entrenamiento,  
Padres Unidos del Bronx.  
Profesor Preston Wilcox, Asociado de Estado Mayor,  
Afiliacion de Educacion, Corporacion para el  
Desarrollo y Servicios de Bedford-Stuyvesant y  
Dos estudiantes

"UN DE LAS DECISIONES, MAS CRUCIALES, HECHAS EN ESTE PAIS CON RESPECTO A EDUCACION."

Hobson vs. Hansen, Junio 1967,  
Washington, D.C.

(Center Forum, Center Urban Education,  
julio 1967.

Esta decision elimino el sistema controversial de "Tracking", (una forma rigida, establecida, para agrupar de acuerdo a la habilidad demostrada en exámenes que son uniformes e inapropiados, y la cual estaba en vigor en Wash., D. C., y todavia esta en efecto en la ciudad de Nueva York.

- Para:
1. Mantener las lineas de color
  2. Extinguir las mas altas aspiraciones Vocacionales
  3. Dar soporte a la teoria, que esta corrientemente de moda con algunos maestros, supervisores, administradores de escuelas y Teoricos Sociales, de que la razon por la cual estos estudiantes se encuentran en el sistema de "Track" mas bajo es que son las victimas de hogares culturalmente bajos.
  4. Disfrazar la realidad de que la mayoria de los ninos son las victimas de un sistema de ensenanza inadecuado.

### Organizaciones Auspiciadores

Afro-American Students Assoc., Columbia University-Afro-American Teachers Assoc.-Citywide Committee for Community Control-Equal Harlem Parents Committee-I.S.201 Governing Board-Ocean Hill Brownsville Governing Board-Teachers for Decentralization United Bronx Parents-West Side Committee for Decentralization

### Auspiciadores Individuales

Guillermo Alonso, Evalina Antonetti, Rev. Milton Galemison, Nat Hentoff, Ed Jeffries, Dorothy Jones, Ellen Lurie, Merrill Martin, Rhody McCoy, Suki Ports, Isaiah Robinson, Barbara Schramm, Elliott Shapiro, David Spencer, Annie Stein, Rosalie Stutz, Preston Wilcox

### Ad hoc Comite pro Educacion

Guillermo Alonso, Dorothy Arfer, Joel Frederickson, Berlin Kelly, Nancy Mamis, Willene Murphy, Seymour Roberts, Sema Salit, Nazy Shiels, David Spenser, Preston Wilcox



Fact sheet for "tracking" meeting to be held on:

Saturday, May 4th, 1968

2:00 to 6:00 P.M.

I.S. 201

2005 Madison Ave., N.Y.C.

ADDRESS - Mr. Julius Hobson

Panel: Professor Preston Wilcox, Mrs. Ellen Lurie and  
2 Students

### TRACKING

#### ANOTHER EDUCATIONAL BETRAYAL

The track system as used in the public schools is a rigid form of ability grouping in which students are divided in separate self contained curricula or tracks ranging from "General" for the slow student to "Honors" for the gifted.

The aptitude tests used to assign children to the various tracks are standardized primarily on white middle class children. Since these tests do not relate to the majority of children in our schools especially Black, poor and Non-English speaking, track assignment based on such tests relegate most children to the lower tracks from which, because of

1. the reduced curricula
2. the absence of adequate teaching skills
3. the absence of adequate remedial and compensatory education
4. continued inappropriate testing

the chance of escape is remote.

### TRACKING HAS BEEN ABOLISHED!

Mr. Julius Hobson brought suit against the Washington, D.C. school system, charging that the track system was a violation of the civil rights of all children.

The case was heard by Judge J. Skelly Wright who found the Board of Education deprived the District's Black and poor school children of their right to equal educational opportunities through segregation of students and faculty, unequal distribution of funds and the "track system". He ordered an end to tracking and asked that plans be prepared to achieve equal opportunity for all children.

WE BELIEVE THAT THE SAME SITUATION EXISTS IN NEW YORK CITY

For further information call: SU7-5314 - 724-1274  
EN2-7379 - 799-1621

Committee For Education  
% Mamis  
110 Riverside Drive, N.Y.C.

Latos para la reunión de "tracking" que se llevará a cabo:

El sábado, 4 de mayo, 1968

2:00 a 6:00 P.M.

I.S. 201

Dirección: 2005 Madison Ave., N.Y.C.

Panel: El Sr. Julius Hobson, el Profesor Preston Wilcox,  
la Sra. Ellen Lurie, dos estudiantes

### "TRACKING"

#### OTRA FALLA DE LAS ESCUELAS

El sistema de "tracking" usado en las escuelas públicas es una forma rígida de agrupar por habilidad en el cual los estudiantes están divididos en distintos currículos o "tracks" contenidos en sí, variando de "Básico" para el estudiante lento, a "Honores" para el estudiante que ha logrado un nivel escolar alto.

Los exámenes de aptitud utilizados para asignar a los niños a los varios "tracks" están estandarizados especialmente para los niños de blancos clase media. Ya que estos exámenes no tienen relación a la mayoría de niños en nuestras escuelas, especialmente los negros, los pobres y los que no hablan inglés, asignación al "track" basada en tales exámenes relegan la mayoría de los niños a los "tracks" más bajos de las cuales oportunidad de escape es casi imposible por estas razones:

1. currículo redicido
2. falta de educación remedial adecuada y compensatoria
3. falta de enseñanza adecuada
4. Exámenes inapropiados se continúan

#### "TRACKING" HA SIDO ANULADO

El Sr. Julius Hobson trajo cargos contra el sistema escolar de Washington, diciendo que el sistema de "tracking" violaba los derechos civiles de todos los niños.

El caso fue oído por el Juez J. Skelly Wright el cual encontró en junio, 1967 que la Junta de Educación deprimaba a los Negros y a los pobres del Distrito de su derecho a oportunidades educacionales iguales por medio de la segregación de estudiantes y maestros, por la falta de distribución igual de fondos y por "el sistema de tracking". El juez ordenó la terminación de "tracking" y pidió que planes se prepararan para lograr la máxima oportunidad igual para todos los niños.

CREEMOS QUE ESTO EXISTE TAMBIÉN EN N.Y.C.

Para más información, llame: 724-1274  
SU7-5314  
799-1621  
EN2-7379

Comité Para la Educación  
c/o Mamis  
110 Riverside Drive, N.Y.C.





DID YOU KNOW THAT:

#### Expenditures per pupil

The D.C. public school system spends about three times as much money on rich white children as it does on poor black children ?

#### Books

Poor black children in the D.C. public schools never have had sufficient books and supplies. The predominantly white schools in the city have an average of 5 books per child while the predominantly black schools have about 1 book for every 6 children !

#### The Track System

Mr. Hansen's track system was instituted to keep poor black children segregated.

Well over half of the black children in the D.C. public schools are in the basic and general tracks which do not lead to a college education, while the white children are in the honors and regular tracks which prepare them for college.

Once a child gets into the basic and general tracks his chances of getting out are about 1 out of 10,000.

Most of the black schools in the District do not have honors tracks, while none of the white schools have basic tracks.

#### Vietnam

Mr. Hansen's track system leads black boys to Vietnam, since they are unprepared for either jobs or college.

#### Board of Education

The Board of Education is selected on the basis of race, with a quota of 4 black persons and 5 white persons.

The Board of Education represents the Judges on the U.S. District Court and not the majority black population of the District.

#### Beating Children

Some of the teachers of the D.C. public schools are guilty of whipping and brutalizing children with the full knowledge of the school administration.

#### Student Rights

Mr. Hansen's administration has consistently suppressed student freedoms through such methods as censoring student newspapers, establishing rigid dress codes, and promoting a compulsory cadet system. A student bill of rights is needed.

#### The Superintendent's Backers

Mr. Carl Hansen's support in the community comes from scared teachers, racist congressmen and senators, the Daughters of the American Revolution, the hate group calling itself the D.C. Federation of Citizens Associations and black uncle toms.

JOIN IN THE GIANT MAY DAY FREEDOM SCHOOL RALLY TO PROTEST THE ABOVE CONDITIONS  
Hear National Civil Rights Leaders  
WATCH FOR FURTHER INFORMATION

LET'S BOYCOTT ON MAY FIRST







MAY DAY! MAY DAY! MAY DAY! MAY DAY! MAY DAY!

## SCHOOL BOYCOTT---STAY OUT OF SCHOOL

MAY 1, 1967

"May Day"---the international distress signal for ships in trouble---is a cry for help known around the world. It is a cry for help now being raised in behalf of thousands of children trapped in the deteriorating public schools of the District of Columbia. It is a cry of outrage at a school system that drops out more students than it graduates. It is a call to act---against a school system that cheats children by the thousands of the basic tools for survival and life in the 20<sup>th</sup> century: reading, writing and arithmetic.

Washington children are forced by law into compulsory school attendance through their sixteenth birthdays. Ten years later, they emerge by the thousands without the only thing they came for---quality education. For these oppressed children, District of Columbia public schools don't educate. They incarcerate.

Abandoned and cheated by a school administration that failed to live up to its end of the bargain, the schools' dropouts (18,000 in a recent five-year period) get a quick education about unemployment. Jobs are available---to those who can read, write and figure, and have a high school diploma to prove it. Back in their old classrooms are their younger brothers and sisters doing their "time," in line to become a new set of victims of this city's crime against its children. And in their homes, parents---who once had dreamed of a better life for their children.

### A History of Decay

Soon after the D.C. schools were desegregated by court order, Dr. Carl F. Hansen was appointed Superintendent of Schools, a post he has held for ten years. Under his leadership, the D.C. school system has sunk to being one of the nation's worst. Bitterly attacked by a growing number of parents, students and civic leaders, school officials have coldly ignored their complaints, or appointed committee after committee to "advise" them. In a final gesture of contempt for the overwhelming opposition of the community against the reappointment of Dr. Hansen to a fourth term, the Board of Education reappointed him last March by a 5-4 vote.

For black children, all of this has special meaning. Although their schools were woefully inferior under the old segregated system, dedicated teachers taught black children not only to read and write but to prepare for college. Thousands of them holding good jobs here and elsewhere can attest to this.

### The Track System

Following the court-ordered desegregation, Dr. Hansen designed, implemented---and even wrote a book about---an ingenious new form of segregation: the infamous track system. Under this plan, Washington school children were separated on the basis of being "slow" or "fast". Slow students were placed in the general and basic tracks, fast students in the regular and honors tracks---the only tracks that prepare students for college. According to Dr. Hansen, slow students do better apart from fast students, while fast students won't be held back by slower classmates.

It soon became evident that the top two tracks---leading to college---were primarily for white students out of the old Division I segregated schools. Division II's black students landed primarily in the lowest two tracks---leading to unemployment. Dr. Hansen testified in court that white Division I students were better prepared at the time of desegregation than the black Division II students. Few black students, apparently, could "qualify" for the top two tracks.

It is important to note that under the old Division I-II system, Dr. Hansen had been for many years Assistant Superintendent in charge of curriculum---for BOTH divisions. That is, he designed and administered the old curriculum for these same black children who could not qualify for the top, college-preparatory tracks under his new system.

Dr. Hansen's track system has been called everything from "dictatorial and oppressive" to "programmed retardation" by its critics. Dr. Kenneth Clark, noted New York black professor of psychology, denounced it as "inhuman". Under it, dropout rates soared; increasing numbers of students have fallen one, two and three years behind in reading.



School enrollment is now 92 per cent black, 55 per cent from the lowest income neighborhoods. For the poor, black children who now constitute Dr. Hansen's major responsibility, some statistics are revealing. \*(\*Based on testimony by Dr. Hansen and other school officials presented in court during Julius Hobson's lawsuit against the D.C. schools.)

#### Track System

- . Developed by Dr. Hansen one year after desegregation and after numerous complaints about integration by white parents to the Board of Education.
- . During that year, special city-wide testing of all students took place for the first time. Before then, only Division I white students were regularly tested. Test scores for Division II black children were noticeably lower, Dr. Hansen testified. He named the test results plus desegregation as reasons for instituting the track system. No study was made of the track system before its adoption by the Board of Education. None has been made since. Until 1965, Dr. Hansen never revealed to the Board of Education mounting criticism of the track system by other big city school systems.
- . In 1963-64, 82 per cent of predominantly black, poor Dunbar Senior High School were in basic and general tracks---leading to no college. There was no honors track. 92 per cent of predominantly white, rich Wilson Senior High School students were in honors and regular tracks---leading to college. There was no basic track.
- . In 1965, crash testing of basic track students who had been placed there without required individual psychological tests revealed that 75 per cent did not belong there. Many students in the basic track have not been tested for five or six years.
- . In 1965-66, 84 per cent of the black students attended schools without honors tracks.
- . The track system is inflexible. Once placed in a track, a child is imprisoned there.
- . New York City is the only other school system with a similar grouping system, but it is limited to certain schools only.

#### Tests

- . Unjust tests, based on the test scores of white, middle-income students across the nation, are used to measure poor, black children. They are placed in a track on the basis of their scores on such tests.
- . Asked which smells sweeter---a bright red rose or a potato cooking on the stove---a potato cooking on the stove---a poor, black first grader replied, "the potato". He was marked "wrong". Such tests are like yardsticks, designed to make him look short.

#### Expenditures

- . More money is spent per year on predominantly white students in high-income neighborhoods than on predominantly black students in low-income neighborhoods.
- . In 1964-65, Dr. Hansen spent \$216 per child in one poor, black elementary school and \$649 per child in a rich, white school.
- . On 56 per cent of the poor, black elementary schools, he spent less than the median per pupil cost of \$295. On 84 per cent of the rich, white elementary schools, he spent more.

#### Books and Supplies

- . No predominantly black school ever has had sufficient textbooks, work books and other needed materials.
- . Many poor, black schools supply ancient textbooks discarded by white, rich schools in Northwest Washington.
- . When they do receive new textbooks, poor, black children usually read only about white, middle-income children whose lives bear no resemblance to their own. Textbooks describing the lives of poor, black children are available and used by other big city school systems. Dr. Hansen has deprived Washington children of these.

#### Teachers

- . Poor, black elementary school students attend overcrowded classes with more than 30 students per teacher. White elementary school students attend classes of less than 30 per teacher.
- . Dr. Hansen pays higher salaries to permanent teachers whom he considers more experienced. He assigns them more often to predominantly white, rich schools.
- . Temporary teachers receive half the salary of the top, permanent teachers. Dr. Hansen assigns the majority of them in poor, black schools. The poorer and blacker the neighborhood, the higher percentage of temporary teachers.

#### Punishment

- . A Hine Junior High School student testified in March before the Board of Education to whippings and brutality by teachers. He brought with him a well-worn wooden paddle kept in his classroom. Official policy prohibits physical punishment.